

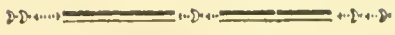
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THE CATHOLIC COMMITTEE'S LETTER.



E R R A T A.

- P. 16. for *impervioufly* read imperioufly.
P. 17. dele No. VIII. in the Appendix.
P. 20. for 23d. read 3d.
P. *ii. for 20th. read 8th.

A
L E T T E R

ADDRESSED TO THE

CATHOLICS OF ENGLAND,

BY THE

CATHOLIC COMMITTEE.

L O N D O N:

Printed by J. P. COGHLAN, No. 37. DUKE-STREET, GROSVENOR-SQUARE.

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MY LORDS AND GENTLEMEN,

THE term for which we were appointed, under your unanimous resolution at the General Meeting on the 3d May, 1787, to be a Committee "to watch over and promote your public interests," expires on the 3d of May in the present year: but, before the connection, which has so long subsisted between us, is dissolved, we entreat leave to call your attention to a short view of the past and present state of Catholics in this kingdom.

I.

In the 11th year of the reign of Queen Elizabeth, Pope Pius V. fulminated against her his Bull *Regnans in Excelsis*.—Not content with excommunicating that sovereign princess, the ill advised Pope attempted to deprive her of her crown, and declared her subjects absolved from their allegiance.

This is the fatal date of the penal statutes enacted against that portion of Englishmen, who continued, after the change of religion, in their country, to profess the faith of their ancestors, and abide in communion with the See of Rome.

In succeeding reigns, new penalties and disabilities have been constantly accumulated against the English Catholics. On the accession of the reigning family to the throne, the Catholics were suspected of disaffection to the government;—an Act was passed authorizing two or more Justices of Peace to tender oaths, which Catholics would neglect or refuse to take, and being thus made Popish Recusants convict, would become exposed to all the rigour of the Penal Laws.

But justice and humanity have ever characterized the HOUSE of BRUNSWICK.—It was the wish of George the First to relieve his catholic subjects, and by attaching them to his person and government, to admit them into a participation of the blessings enjoyed by

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other

other Britons. A negotiation was opened with the Catholics. Mr. Craggs conducted, under the first Earl Stanhope, that negotiation. Every thing seemed settled, when an unfortunate disagreement among some of the Catholic Gentry blasted their hopes of relief. The negotiation was abruptly broken off,—suspicions were entertained, that, the Catholics were not yet reconciled to the settlement of the crown in the Brunswick line.—This supposed disaffection was soon after punished by a fine of 100,000 pounds ordered by Act of Parliament to be raised, within one year, upon their estates.

The Catholics however have suffered very little molestation from the government of the Brunswick family. No new sanguinary laws have been enacted; no old sanguinary laws enforced. Some restrictions, indeed, have been added, and some of the old statutes occasionally executed.—But the misfortune of the Catholics has ever been, that, the great mass of penal and disabling statutes have constantly enforced themselves by a silent and uniform operation.

The general prosperity and the general light which increased, with rapidity, in the nation, were favorable to the Catholics. In former periods the public hatred had been directed alike, against their religious and their political tenets. Under the present family their supposed political principles seemed alone to render them hateful to their country, and suspected to government. The fury of religious controversy was every where abated. A right in national churches to persecute dissenters on account of any persuasion, purely religious, was a principle, which the humanity of an enlightened age could not consider without abhorrence. It was allowed, that Catholics ought not to be punished merely for their speculative doctrines;—but could they give security to government as men and citizens? Are their principles of social, civil, and political duties consistent with a free constitution in a protestant country? Their connection with the Pope as first bishop of their religion, their supposed adherence to the interest of the abdicated family, were still thought sufficient motives to render them unworthy of any marked indulgence.—But whatever disaffection might remain among them, they certainly were not singular in their old attachment; but shared that disaffection with other nonjurors, and a large number of their fellow-subjects, particularly of those who were denominated the Tory party.

The behaviour of the Catholics after the Revolution had, in general, been peaceable; even in the rebellion of 1745, few of any consideration in their body, had shewn a disposition to distress the settled government. Prejudices gradually wore away. When his present

sent Majesty acceded to the throne, all parties were reconciled to the settlement. Disaffection to the person or government of the king was entirely extinguished.

It was not however till the year 1778, that the catholic body could embrace an opportunity of avowing their attachment to the principles of the Revolution, and their affection for the Brunswick family. Amid the disasters of the American war, their Nobles and Gentry presumed to approach the royal presence. In the * address which they were permitted to offer to the Sovereign, they assured him of the respectful affection which they bore to his person, and of their true attachment to the civil constitution of their country. If they dissented from the legal establishment in matters of religion, they declared their *dissent* to be purely conscientious.

Thus the English Catholics pledged themselves to support the constitution of their country, *as perfected by the Revolution*. In civil concerns nothing remained to discriminate them from the most loyal and patriotic of their fellow-subjects. They had seen the happy effects, and had learned to love and admire the great improvements which the Revolution had produced. If in matters of religion they conscientiously dissented from the legal establishment, that dissent was common to them, on however different grounds, with many other descriptions of their fellow-subjects, who were most zealously attached to the laws and liberties of their country. Equal then to the Protestant Dissenters in attachment to the King and Constitution, might they not lawfully conceive the hope of seeing themselves indulged with an equal toleration of their religious creed and worship, and an equal participation in the blessings of British subjects?

Some relief was granted in 1778; but that relief was extremely partial. It placed the Catholics in a situation unparalleled perhaps in the annals of any kingdom. For it authorised them to acquire, possess, and transmit property, and yet left them aliens in their native land, exposed to daily conviction of recusancy, and trembling perpetually under the uplifted scourge of an oppressive and sanguinary code of laws.

If the penal statutes had been executed, in any period, to their full extent, every catholic family must have been extirpated in this land. Even the Act of 1778 secured them no civil or religious existence. They continued to live by sufferance. If they walked in the streets of London, if they breathed the air of England, it was only because

* See the Appendix, No. I.

the spirit of the people was more merciful, than the injunctions of the law. Unfortunate objects of national odium and national oppression, when their neighbours grew ill natured, they might be reviled and insulted with impunity; and when vindictive, they might be molested and removed beyond the protection of government itself.

Scanty as the relief granted in 1778 really was, yet the legislature wisely secured the loyalty and obedience of the Catholics by a solemn Oath of Allegiance and Abjuration. Precautions were taken to make them disclaim those principles, which, in the heat of religious animosities, had been imputed to them, as if they deemed it lawful to violate all faith pledged to heretics, and meritorious to destroy their persons. They were called upon likewise to renounce and abjure the doctrine of murdering or dethroning kings in virtue of a papal excommunication. The murdering doctrine had never been held by any portion of Catholics in the most ignorant, factious, and turbulent times; but the deposing power had since the days of Pope Gregory Hildibrand met with too much countenance. It had indeed been resisted, when first claimed, as a profane novelty*; but while the influence of Rome predominated in the governments of Catholic Europe, the principle of that doctrine was very generally admitted, and the practice of it was not unfrequent. During the struggles of the Reformation, when Rome saw her grandeur, and her interests falling on every side, the papal court revived its claims of right to depose monarchs with double energy and perseverance. Unfortunately for the Catholics of England a powerful party among them blended that political doctrine of Roman ambition, with the tenets of the catholic religion. For more than a century that party attempted to impose a groundless and pernicious opinion, as an article of faith. From the reign of Elizabeth to the end of Charles the Second's reign, the English Catholics never dared to condemn, in a body, the Transalpine usurpation. But in 1778, none were found among them who hesitated, to renounce, reject, and abjure the dangerous imposture. The extravagances of Parsons and Sanders had no longer abettors.

Thus engaged by oath to support the crown and government of the country, could it be foreseen, that the Catholics would be disturbed in the enjoyment of that partial relief, which the legislature had granted them? But either their address to the Crown and the oath prescribed to them by Parliament were not considered, or the inveterate prejudice, that, no oaths could bind them to persons of a different religion, revived with increased acrimony. Certain it is, that the small relief indulged to a body of men, formidable neither by their

* *Id contigit quod solet rebus novis atque in auditis, nempe ad rei novitatem obstupescere omnes.* Bossuet *Defensio Declarationis Cleri Gallicani, Pars 2. lib. 4. c. 7.*

numbers nor their resources in this country, had nearly proved a national calamity. Animosities burst forth among many over zealous protestants, and the horrors of 1780 ensued.—But the ferment was momentary: good sense and humanity prevailed over a misguided populace. In a few years the quiet temper of the nation encouraged hopes of obtaining more ample redress. At a General Meeting of the English Catholics in 1788, your Committee was directed to make an application to Parliament for their relief early in the next Sessions*.

II.

In complying with your directions the AIM OF OUR ENDEAVORS was to obtain, as far as Government would allow it, a repeal of all those laws, which placed us in any respect in a situation worse than that of other non-conformists to the National Church. In the letter we before had the honor to address you, we mentioned the chief circumstances, which attended our first communications upon this subject with persons in power. After the business had reached a certain degree of forwardness, it was recommended to us to prepare the draft of a Bill to repeal the laws which aggrieved us.

There were two plans upon which a Bill of this nature might be prepared. One—to repeal, by a general clause, all the laws against the English Catholics, with a subsequent exception of those, which the Legislature seemed inclined to continue.—The other,—to recite, under different heads, the acts of Parliaments which the Legislature seemed inclined to repeal, and at the end of each particular head, to repeal the different acts comprized in it, with such exceptions or restrictions, as it was supposed the Legislature would require.—Each of these plans had its advantages and its disadvantages.—After much deliberation the latter plan appeared to be preferable; particularly as it presented a more minute and distinct view of the object and operation of the bill: and as in case of objections to any part of it, the part objected to might be discussed, without bringing the other parts into controversy; so that any part of it might be amended, or even rejected, without affecting the rest.—This plan therefore was adopted, and our Secretary prepared the bill accordingly. At his request, it was laid before a Barrister of distinguished eminence, and perused, signed, and approved of by him. We send you a copy of this bill†. Had it passed into a law, it would have repealed all the laws, by which, previously to the passing of the act of last year, we were

* The Committee began the Execution of the Trust delegated to them, by presenting the Memorial to Mr. Pitt, (Appendix, a.)

† It is printed in the Appendix, No. II.

in a worse situation than the protestant dissenters, and thereby placed us exactly on a level with them.

THIS BILL, and THIS BILL only, you will please to consider, as the Bill of your Committee. We repeat from our letter to Mr. Douglas, that whatever alterations were made in it, all were made more or less, against our consent. Some of them necessarily appeared to us less objectionable than others:—but to all of them we objected.—If ultimately, we adopted or acquiesced in any of them, it was either in consequence of advice, to which it would have been unwise or imprudent in us not to defer, or of directions which it was impossible for us not to obey. We request you to give this bill your attentive consideration. If you compare it with the bill, as it was first brought into the House of Commons, or as it was altered there, or as it was taken to the House of Lords, you will find, that it neither contains the appellation of protesting Catholic Dissenters, nor the oath, nor any of the provisions, which were objected to by the Apostolic Vicars, nor any one of the clauses, (except those relating to presentations and the practice of the law) which were objected to by any one Member of Parliament.

Such was the object, and such the intended operation of our bill; and in this state it was communicated to those persons, who particularly interested themselves in our cause, or whose rank, abilities or situation in the country, made such a communication necessary or desirable.

In this stage of the business the instrument of protestation * was tendered to us. In our former letter we gave you an account of the rise and progress of this event.—Again we repeat to you, that, the protestation was not framed by us:—that it did not in any sense of the word, originate with us:—that the instant we received it we transmitted it to all the Apostolic Vicars; and that it was tendered by us to no person in any district, until the Vicar Apostolic of that district had signed it or withdrawn his opposition to it.—But after it had received the approbation of the Apostolic Vicars, we exerted our utmost efforts to circulate it; and Clergy and Laity, it was signed by all.

Salutary indeed was the effect of this measure.—The instrument of protestation contained the avowed objections of protestants, and the answers, which they declared were satisfactory.—The signatures to it shewed it contained the general sentiments of the English

* See the Appendix, No. III.

Catholics. Thus therefore, we had come forward as men and citizens, and disclaimed every tenet of an impertendency, which the weak or the wicked among Catholics had ever maintained, or which ignorance or malice had ever imputed to the body: we had openly avowed, to our King and our country, the purity and integrity of our moral and political principles. After this, ALL must acknowledge, it would be unwise, impolitic, and cruel in the extreme, to continue in force against the Catholics, that code of sanguinary and oppressive laws, which nothing had ever justified,—nothing had even excused,—but the prejudice conceived against them, on the supposed corruption of their moral and political creed.—Having openly and explicitly vindicated our innocence on this head, the nation felt the time was come, in which an essential relief should be granted to us; with respect to the mode and the measure, in which it should be granted, there was still some difference of opinion.—But that relief should be granted was denied by none. To continue the penal statutes in these circumstances would be worse than to enact them*.

Struck with these happy effects of the instrument of protestation, some of our most respectable friends advised, in a manner, which made it imprudent, if not impossible, to reject their advice,—that the protestation should be altered to the form of an oath.—The same persons who advised the protestation should be inserted in the bill, in the form of an oath, advised also, that the form of the act should be changed, and that the bill should be framed on the plan which we first mentioned to you: viz. a repeal of the laws against the Catholics, by one general clause, with a subsequent exception of those laws, which the legislature should think proper to continue. This advice had the sanction of the person, who holds the highest legal situation in this country. We found it necessary to obey, and the act was altered accordingly. Thus altered it was brought into the House of Commons.

It was received by the House in the most favorable manner. That the Catholics were deserving of relief; that relief ought to be granted to them; that it should, THEN, be granted to them,—was most emphatically and most eloquently declared from every quarter of the House. In two points only there was a difference of opinion;—Whether the form of the bill was proper,—and whether the oath it contained should be continued, or altered, or entirely rejected, and another substituted in its stead? That the form of the bill should be altered—seemed the general opinion. To this, besides other objections, there was that of the delay which it would necessarily occasion: but the opinion for an alteration prevailed. The bill was therefore altered, and in this its altered state, it approached very nearly to the form, in which we had first drawn it.

* The Petitions presented by the Committee to the Houses of Parliament, and the Case circulated among them, are in the Appendix, No. IV. and V.

With respect to the oath, our sentiments upon it were these;—The favorable disposition of the public,—and the readiness, which the legislature shewed to grant the relief petitioned for, were considered by us as owing in a great measure to the protestation.—In this we were by no means singular. It was the opinion of the best and wisest of our friends. That part of our fellow-subjects, from whose prepossessions we had most reason to dread opposition to our relief, were, after they had considered our protest, cordially reconciled to the equity of the measure.—The protestant dissenters surrendered, by immediate conviction, every ancient jealousy and suspicion, and gave us their good wishes and support. In a letter, which the noble Lord, who moved our bill in the House of Peers, has since been pleased to write us, his Lordship thus expresses himself;—“ It is highly creditable to the liberal spirit of the times,---that I could have but little distinction in the part that I took. The concurrence was universal, for restoring you to those immunities to which your unambiguous abjuration of any interest separate from that of the community irrefragably established your right.---I am convinced your sentiments, as citizens, have long merited that indulgence.---But it required your public profession, as an aggregate body, to authorize the legislature to remove restrictions, which the unfortunate temper of earlier times had rendered perhaps indispensable.” After this, you will not be surpris'd at the partiality of your Committee to the oath, as it was originally framed upon the protestation.

But this was not all ---The protestation was a solemn instrument, signed (with few exceptions indeed) by all the Clergy and all the Laity. To the Minister, to the Houses of Parliament, to the Nation, your Committee had solemnly presented it, as an explicit and unequivocal declaration of the sentiments of the English Catholics, as men and citizens. The oath (whatever might be the sentiments of others) was, in the opinion of your Committee, a counterpart of the protestation. To withdraw the oath appeared to us receding from the protestation. To recede from the protestation we held in horror; we thought it an act of unjustifiable perfidy; we were persuaded it would cover the body, and ourselves in particular, with ignominy, and make us for ever despicable in the eyes of men of honor, principle, consistency of character, or truth. We never therefore could be induced to solicit the withdrawing of the oath.---But here we rested. When your present oath, or the oath of 1778, or the Canada oath, or any other unobjectionable oath was proposed, we never refused to testify our readiness to take it, if the legislature should think proper to impose it on us; but at the same time we uniformly declared, we had no conscientious objections to the oath as it then stood.---We said we had signed the protestation; that we considered the oath to be a counterpart of the protestation, and that from the protestation we never would recede.

Besides,

Besides,—the highest authority of administration had expressly assured us, that none of the above mentioned oaths would be admitted.

Some alterations however in the oath were introduced in the House of Commons, and if it had remained in the form in which it was worded when the bill left the Commons, it was generally supposed, few, if any of the Catholics, would have objected to it. Some new clauses were introduced, and some of the old clauses altered.

The most material discussion which took place respected the clause enabling us to present to advowsons. This right is a civil right annexed both by the civil and the canon law to the person of the founder and his representatives.—Representation (we need not mention to you) is affected by transmission of blood, transmission of property, or transmission of civil capacity. By the laws of England and of every country, when feudal descent has prevailed, advowsons have been annexed to the property (except where they have been annexed to the civil capacity, as in cases of corporations) of the founder. Thus it is a civil right, and a part of our landed property. The use of it was denied us, and consequently the recovery of it was properly an object of a bill framed to relieve us from the disabilities incurred by the exercise of our religion. As few Catholics are possessed of advowsons, to be deprived of this right was no great sacrifice of property to them; but when all his Majesty's other subjects, Dissenters, Quakers, even Jews, were permitted to enjoy it, that Catholics alone should be deprived of it, was an humiliating exception, which as men of honor they could not but feel, and therefore supposed all honorable men would feel with them*. These arguments were allowed their weight, but it was said, the matter probably would not be rightly understood by the public at large; it might therefore give occasion to alarm and jealousy; and, by that means, disturb the general good humour towards the bill, which fortunately prevailed every where. The clause was rejected, and, with these alterations, the bill was taken to the House of Lords. On the first reading of the bill in the House of Lords, the House shewed a general disposition in its favor. A motion however was made to postpone the second reading of the bill to a day so distant, that the motion, if carried, would have lost the bill for the session; but it was withdrawn, and some alterations were made. The Irish oath, with an insertion of an express recognition of the act of settlement, was substituted in the place of that inserted in the House of Commons. The clause which enabled

To explain the nature and justice of this claim, the Committee circulated among the Members of Parliament the paper in the Appendix, No. VI.

us to praise the law was opposed by the Chancellor; the House divided upon it, and it was carried by a very considerable majority.

On its return to the House of Commons, the bill met the same kind of reception which had attended it on its first entrance there. The substitution of the Irish oath was acquiesced in.—After the bill was gone through in the usual forms in the House of Commons, it was returned to the House of Lords. It passed there without further opposition, and on the 10th day of June 1791 received the Royal Assent.

This brings us to the close of our narrative.—It was the good fortune of the Catholics, that the bill was ushered into the House of Commons by a gentleman, of whose honor, abilities, enlarged and cultivated understanding, the public have long entertained the highest opinion:—and that it was conducted through the House of Lords by a noble Peer, not more illustrious for his splendid descent and alliances, or his natural and acquired endowments, than his love of justice and universal benevolence.

The marked and decisive support, which on every occasion the bill received from Mr. Pitt and Lord Grenville, both in their ministerial and their legislative capacities; and the powerful, we may add, the affectionate exertions of Lord Loughborough, in more than one critical stage of the bill, during its passage through the House of Lords, will never be forgotten:—On every occasion Mr. Fox exerted, in its favor, the mightiness of his powers:—All parties, all orders, all descriptions of men seemed to wish us success, and when opportunities offered exerted themselves in our service.

Thus since the year 1778 a new order of things is opened to the Catholics of England; they have recovered the good opinion and confidence of their countrymen; in matters of religion, they are indulged in a conscientious dissent from the legal establishment, and may worship their God according to the mode which their faith ordains; in civil and political concerns, they form no separate combination, but may freely incorporate with their fellow subjects for the public good: no longer aliens in their native land, they may now behold the general prosperity without envy or depression of spirits: their property is secure, and no longer held on the precarious and humiliating tenure of sufferance or connivance: they have the sanction of law to transmit it to their offspring: they may impart to their children the blessings of education: they are no longer looked upon as a degraded faction, who harbour principles hostile to the laws and liberties of their country:—IN A WORD, THEY ARE ENGLISHMEN, SUBJECTS, AND CITIZENS, AND SUCH THEY ARE ACKNOWLEDGED BY THE KING, THE NATION, AND THE LAW.

III.

We now beg leave to trouble you with some observations on the nature of OUR CONTEST WITH THE APOSTOLICAL VICARS.

When the interests of a considerable body of men are concerned, it is next to impossible to obtain an unanimity of opinions concerning the plans and measures to be adopted. Contestations will of course arise.—But when such contestations are to be carried on with persons, whose character, station and office entitle them to peculiar respect, the task becomes more than usually painful.

This has happened to us. We felt it our duty to oppose, in some instances, the mandates of Apostolical Vicars; and, as our controversy with them has been public, our characters require the public should be informed, that we neither engaged in the contest upon unjustifiable grounds, nor supported it by unjustifiable measures.

If all resistance to ecclesiastical authority were in itself culpable, then the holy Robert of Lincoln, that bright ornament of the English church in catholic times, was deserving of the severest censures, when he vigorously resisted the encroachments of a Pope upon the rights and liberties of England.—A minute detail of particulars seems to be at present unnecessary.

In our former letter addressed to you, and in the letters we addressed, first to the four Apostolical Vicars, then to Mr. Douglas, and lastly to Mr. Douglas jointly with Mr. Walmsley and Mr. Gibson, we have given an account of our conduct; and, we persuade ourselves, have fully justified it in those instances in which it had been arraigned.

These publications we again recognize, and beg leave to refer you to them. If other publications have appeared during the late controversy, we assure you the Committee were concerned in none of them.

We never engaged any auxiliary pen to defend our cause;—we recognize those papers only relating to the present bill which we have inserted in the appendix, and those we have before sent you subscribed by our names.

One thing in particular we wish should be clearly understood:—we have invariably professed, that we never conceived an idea of departing, in any one single instance, from the belief, or the acknowledged rules, of the Catholic Church; and consequently we have uniformly disclaimed the most distant intention of encroaching upon any one privilege belonging to the episcopal dignity.

In matters of fact we were convinced that the Apostolical Vicars were mistaken.

We knew that they had misconceived the nature of the business, which we were conducting, and had mistated our proceedings in it.

We conceived besides, that they had extended their authority to objects, which came not within their competency. An implicit deference to orders, which equally at first sight, and upon reflection, struck us as unwarrantable, would, in our judgment, have greatly prejudiced the most essential interests of the body of English Catholics, and have justly subjected ourselves to an accusation of relinquishing the duties of a public trust.

Did we insist, that the protestation contained nothing which English Catholics might not with safety declare?

Let it be remembered, that six bishops and nearly two hundred and forty clergymen, as well as almost every respectable layman, in this kingdom, had already signed that instrument, and returned it to us as a public pledge of their social and political sentiments.— Could we believe, that an instrument signed by the whole body of English Catholics, was inconsistent with Catholic principles?

In the name of the body, we had solemnly presented that instrument to the legislature, and had earnestly called the public attention to its contents. We could not, therefore, revoke it, in any circumstances, without disgrace; and unless expressly directed by the subscribers and our constituents, we could not revoke it without betraying our trust. But the body never instructed us to revoke their instrument; and indeed we have never heard, that the apostolical vicars enjoined their clergy or their flocks to cancel their signatures.

If the protestation be uncatholic, why was not the body summoned to renounce it, and abjure their pernicious errors?

But

But if it be soundly catholic, what blame can the appointed representatives of the body have incurred, by maintaining a declaration, which the whole body itself had concurred in authenticating? It is true, the members of the Committee had signed the protestation, but they signed it only as individuals in their respective districts, and it was not in their own names only, but in the name of the whole body, that the SOLEMN INSTRUMENT had been pledged to their countrymen.

If therefore the Apostolical Vicars have had any contestation upon this subject, it has certainly been less with the Catholic Committee, than with the body of English Catholics.

To speak the truth without disguise, it has been a contest with themselves; for they themselves, (if you except Mr. William Gibson, who in the year 1789 was not a resident in this kingdom,) had all signed the protestation.

Did we refuse to submit to a requisition made by Mr. Douglas and Mr. Gibson, not to proceed in the business of a Bill before Parliament, without their approbation? It was, because we could not but deem that requisition an undue exertion of authority. It encroached upon our rights as Englishmen.

For we acknowledge no power, that can restrain the subjects of these realms from applying to the legislature in a constitutional manner.

Consider, we intreat you, my Lords and Gentlemen, what must have been the effects of our compliance. Your Bill was lost. Every penal and disabling statute, which the wisdom and humanity of Parliament have lately repealed, would still have continued in full force against you. Your disgrace too would have been complete.

For after attracting, for some years, the fixed notice of your fellow-subjects, and of the legislature; after making a solemn declaration of your principles as men and citizens; after introducing a Petition and a Bill into Parliament, you must suddenly have shrunk back into former oppression and aggregated odium. As no reasons could be alledged for stopping all proceedings relative to your Bill, except an ecclesiastical order of two Apostolical Vicars, the public must necessarily have considered you as equivocators, who dared not support their most solemn declarations, and who, in the most important concerns,

would at any time be disposed to resign implicitly their best and most essential civil rights, to the unnotived suggestion of Apostolical Vicars.

Of all the prejudices which had so long prevailed against English Catholics, and which had rendered them, in the opinion of many friends to civil and religious freedom, unfit to participate in the blessings of our happy constitution, none was more deeply imprinted, than the suspicions that English Catholics were so slavishly dependant on their ecclesiastical superiors, as to have, even in civil concerns, no judgment, no rule of action, which was not, at least indirectly, subject to their absolute controul. This prejudice, you, by your protestation, had removed; but candor must own, that the abrupt requisition of two Apostolical Vicars to desist from proceeding in the business of a Bill before Parliament, seemed too fatally calculated to revive the ancient suspicions of the inglorious servitude. In complying therefore with that requisition, we could see nothing but peril and disgrace to the body of English Catholics.

Accordingly we declined to submit. But in notifying our motives of refusal, we did not neglect to acknowledge our sincere reverence for episcopal authority, when equitably exerted within its own sphere. Civil concerns are evidently beyond its boundaries.

The Pope, (and of course his Vicars,) neither has nor ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm.— This we had sworn, and jealous of our integrity, we felt it a duty to resist, as representatives of the catholic body, an encroachment on our constitutional rights of exerting ourselves in the business of a Bill, then before the legislature of the land, for redress.

If we were convinced that our inherent right, as Britons, of applying to Parliament for a release from penalties and disabilities, and exerting ourselves in the business of a Bill, producing such a release, cannot be controuled by Apostolical Vicars, we were equally convinced that their authority could not restrain us from taking the oath, taken by ALL OUR FELLOW-SUBJECTS, of allegiance to the sovereign of these realms.

This was the only oath annexed by government to our protestation. When we compared it with the oath of James the First, justified by so many of the most virtuous and most enlightened of our ancestors; when we compared it with the oath taken by all the Catholics in 1778, and when we recollected the words of the address, presented that year by the Catholics to the crown, we could discern no reasons to hinder us from recovering
some

some share of the rights of Englishmen, by giving the same pledge of fidelity, as is given by all our fellow-subjects, although the words "being Protestants" were contained in the oath.

Of all the difficulties maintained by the three Apostolical Vicars this was the last they could prevail upon themselves to resign *, though the right of fixing the succession to the Imperial Crown of Great Britain cannot, most assuredly, be an object of their ecclesiastical competency.

To the completion of our late fortunate business, they constantly represented this difficulty as insuperable.

This they carried so far, that, when the Bill was in the House of Lords, the Bishop of St. David's moved, that the Irish Oath should be substituted in lieu of that adopted in the House of Commons. But Earl Guildford proposed, that an express recognition of the Act of Succession to the Crown in the heirs of the body of the Princess Sophia, being Protestants, (using the terms of the Act of Settlement,) should be inserted. To this the Bishop of St. David's, in conformity with the wishes of the three Apostolic Vicars, objected.

Earl Guildford however moved, that the words in question should stand part of the Oath, and his motion was carried.

Here then was an anxious moment for your Committee,—a critical moment for the English Catholics. On one hand it was uncertain whether the Minister in the House of Commons would not oppose the admission of the Irish Oath, to the substitution of which he had more than once positively objected: on the other, although the Irish Oath should be admitted in the House of Commons, it was uncertain whether the Apostolical Vicars would ever abandon their insuperable difficulty.—In one case there were apprehensions of your Bill being lost; in the other there were apprehensions of a lasting dissention between the Apostolical Vicars and the body of English Catholics.

The Bill passed and was sanctioned; but the perplexing uncertainty about the insuperable difficulty of the Apostolical Vicars still continued.

* See Mr. Walmesley's Letter in the Appendix, No. VII.

Even at the General Meeting held on the 9th of June last, when Bishop Douglas condescended to say, that he had no objection to the form of the Oath now prescribed by Parliament, there was no person in the assembly who could take upon him to make a similar declaration of the sentiments of Bishop Walmesley and Bishop Gibson. We are rejoiced to learn, that they have since overcome their scruples.

Now in what instance of the late controversy does it appear that your Committee have invaded any just right, or declined to obey any just command of the Apostolical Vicars? Not in their abiding by the protestation, for this was the authenticated pledge of the whole body, both clergy and laity: not in their refusing to obey a requisition to stop their proceedings in the business of a Bill pending before Parliament; for to proceed in the business of a bill pending in Parliament is a civil right: not in their alacrity to swear allegiance to the sovereign; for allegiance is a duty of which we are all bounden to make profession: not in renouncing with detestation the deposing power, which ignorance and fanaticism had once attempted to fix in the papal chair; for that wicked and impious opinion the whole body of the English Catholics, with the laudable concurrence of the Apostolical Vicars, had, in 1778, renounced, rejected, and abjured upon oath: not, lastly, in swearing to the succession of the crown in his Majesty's Family, being Protestants; for the whole body of English Catholics, in 1778, had already engaged themselves upon oath to defend, to the utmost of their power, the succession of the crown in his Majesty's Family, against any person or persons whatsoever; and by the Act of Settlement that succession is limited to his Majesty and the other descendants of Princess Sophia, being Protestants.

My Lords and Gentlemen, consistency has uniformly been our aim; consistency in principles, consistency in action. The Address to the Crown in 1778, the Oath prescribed that year by Parliament, the Protestation, the Oath prescribed by Parliament in 1791, these are all solemn engagements taken by the body of English Catholics, and they are all consistent with each other. While we had the honor of transacting public business in your trust, we could not in any point deviate from your own solemn engagements *, and when we conceived that the Apostolical Vicars were prescribing a line of conduct, which must have compelled the catholic body to appear inconsistent and perfidious, regard for your characters, no less than for our own, imperviously told us, that implicit obedience would be criminal treachery. Depart from your Protestation! desist from the business of the Bill! This was the language of the Apostolical Vicars. What sentiments

* See our assertion of your delegation to us in the Appendix, No, VIII.

could such commands impress on the bosoms of men of honor? Overwhelm yourselves with infamy, and cease to be Britons.

Such would have been the consequences of our submitting to the requisition of the Bishops in not proceeding in the business of the Bill.

That they themselves did not discern that the submission they required from us would have produced these effects, we readily allow; that it would have produced them, we were convinced, and you, my Lords and Gentlemen, must be sensible.—Their commands, therefore, it would have been unwise, and even criminal in us to obey.—We therefore resisted their ordinances.—In our letter to the Vicars Apostolic of the 25th of November, 1789, we explicitly avowed our rule of conduct. In that letter we tell them, that “ In satisfying the minds of the prejudiced, in proving our uprightness to the legislature, “ in attempting by honest means to recover those temporal advantages from which nothing “ but misrepresentation had excluded us,—in doing this, we were persuaded, there could “ be no encroachment on the pastoral duty.”—In these sentiments, in this line of conduct, we began the execution of the trust you delegated to us; in these we invariably persisted in the discharge of it; in these we now finish.

Yet, my Lords and Gentlemen, it is on account of a steady adherence to this line of conduct, it is for a conscientious perseverance in the discharge of the trust reposed in him by you, that one of the Vicars Apostolic has by a series of censures, equally in violation of the civil rights of British subjects, and, as we are informed*, in contempt of canonical discipline, driven from his situation one of the members of your Committee; and by a refusal to specify any charge against him, endeavoured to tinge his moral character, with that doubtful stain, which undefined charges must always in some degree leave on the purest reputation. With the ecclesiastical part of this business we have no concern; but we must call your most serious thoughts to the state of your inferior clergy, whose bread, and, what is of more consequence, whose fair fame, according to our present ecclesiastical government, may be thus taken from them without any means either of defence or redress.

* See the Address to the Catholic Clergy, No. VIII. in the Appendix.

IV.

You have probably heard of some DFAMATORY PAMPHLETS, in which your Committee has been treated with little regard, and you approve, no doubt, of our inattention to their contents.

One alone we think it may now be necessary to notice. The ravings of enthusiasm we can easily overlook, and the calumnies of unauthorized individuals we know how to despise: but the writer of this libel assumes an authority, which claims attention and respect. He tells the public, that "he writes at the request of three Apostolical Vicars, " and conceives himself to be speaking their language." He certainly does not speak the language of lenity, of conciliation, or of truth.

His misrepresentations are neither few, nor unimportant.

He dashes the foam of his declamation on all those English Catholics, who have approved or co-operated in the measures of your Committee, and your very votes of thanks he cavalierly treats as futile compliments for lost reputation.

His resentments against the majority of English Catholics are immoderate, but his charges against us are of the most atrocious kind. He describes us as "contrivers of mischief:" we began, "he says, by deceit: we would first have deceived the body of English Catholics, then insulted them for being overreached, and to rivet them down in error, would have displayed all the terrors of outrageous persecution." Our letter to the Vicars Apostolic, he calls "a master-piece of dissimulation, duplicity, and FALSEHOOD." There is hardly a page in this work, (and it is an octavo of 165 pages,) which does not contain some reflection upon us. Gross ignorance is the slightest of his imputations. He accuses us of many things, which impeach our honor and our veracity; and which, if true, would make us unworthy of living in your society, or in any society professing the common rules of morals, or the common decencies of manners. Our catholicity he denies;—does not allow us common honesty; and to complete our defamation, seriously insinuates we are tainted WITH JANSENISM.

Such is this work, my Lords and Gentlemen;—a work inflated by passionate vehemence and acrimonious zeal, but a work declared to be written at the request of three
Apostolic

Apostolic Vicars: and such is their language in our regard, if we may credit the author's own declaration.

After the Bill for our relief had passed, it was the earnest wish of all lovers of peace, that a contestation, to which different ways of thinking in persons contending for the same object had given rise, might quietly subside.—For our parts we had not the slightest wish of continuing a controversy, now become useless to the public cause. Expressions of civility and mutual congratulation had passed between us and the Apostolical Vicar of the Southern District. Even the Apostolical Vicar of the Western District had exhorted us to *let all discord subside, and to unite in the sweet comforts of peace and concord*. The sweet comforts of peace and concord seemed actually restored, when, on a sudden, out bursts this violent attack upon our honor, our probity, our religion, and upon the principles and characters of all our friends! And from whom this attack? From a volunteer gladiator? It might be, but he pleaded a commission from regular chiefs.

To a passionate adventurer we could not stoop to reply; but to rectify the misconceptions of Apostolical Vicars we thought both respectful and necessary. To ascertain, therefore, whether the Rev. Charles Plowden had been commissioned by the Right Rev. Apostolical Vicars, and to what extent he spoke their language, we addressed the following letter to each of our four Prelates. If we wrote to Mr. Talbot, it was not because we thought him capable of authorizing such a writer to abuse his name, but only because that writer had not specified the three Apostolical Vicars, whose commission he pretended to have received.

The following are copies of our letter and their answers.

“My LORD,

“A pamphlet has been published by the Reverend Charles Plowden, entitled, “An Answer to the Second Blue Book, containing a refutation of the principal charges and arguments advanced by the Catholic Committee against their Bishops, addressed to the Roman Catholics of England,” which pamphlet contains many reflections on the conduct of the Committee in the late business, and many imputations on their moral character highly injurious to their reputations, as well as a very erroneous statement of several material facts.

“It

“ It has been the constant resolution of the Committee, not to notice the productions
 “ of any individual, however gross the abuse of their conduct may be, and however distant
 “ from truth the statement of facts contained in it.—But Mr. Charles Plowden’s book
 “ bears on its first page an information, which forbids us to look on it in the light of a pri-
 “ vate work. The public is told, that the answer was prepared at the request of three of the
 “ Apostolical Vicars; and though by a very singular mode of conduct this avowed agent
 “ declares, that he has acted in this important business (for, my Lords, as christians, and as
 “ gentlemen, we must consider an attack on the moral character of a very large proportion
 “ of the catholic clergy and laity of this country as no trifling matter) without having sub-
 “ mitted his manuscript to the censure and correction of his employers, yet he expressly
 “ declares, that he writes at the request of the bishops, and conceives himself to be speaking
 “ their language.

“ Thus, my Lord, has the book in question been introduced to the world with the stamp
 “ and sanction of your Lordship’s authority:—and we conceive, that we should be wanting
 “ both to ourselves, and to the part of our clergy reflected on in it, if we did not endeavour
 “ to know, how far Mr. Plowden speaks your Lordship’s sentiments.—

“ MY LORD,

“ We apply in the most solemn manner to you.—We are charged with crimes of a
 “ very serious nature; you owe it to us as christians, either to undeceive the public with
 “ regard to the opinion they must conceive your Lordship forms of us, and leave to Mr.
 “ Plowden the shame of having thus abused your Lordship’s respectable authority, or can-
 “ didly to say, that such are your sentiments in our regard. We shall then endeavour to
 “ vindicate ourselves from the accusations brought by your Lordship against our moral, as
 “ well as civil, character.

“ We are, MY LORD,

“ Your most obedient humble Servants,

“ Petre.

“ John Throckmorton.

“ Henry C. Englefield.

“ Thomas Hornyold.

Lincoln’s Inn, 23d Feb. 1792.

Longbirch,

Longbitch, Feb. 6. 1792.

“ DEAR SIR,

“ My most sincere and hearty wish and desire has constantly been to promote and pre-
 “ serve concord and harmony, peace and charity among ourselves; and I think I can truly
 “ say with the Apostle, 1 Cor, xi. 16. *If any man seem to be contentious, we have no such custom,*
 “ *nor the church of God.* You may therefore assure the very respectable Gentlemen of the
 “ Committee, that I never employed, commissioned, or desired Mr. Plowden, or any one
 “ else, to utter or express any thing derogatory to them, or any of their connections, either
 “ individually or collectively. Could any conciliating measure be devised, an end be put
 “ to all feuds, contentions, and animosities, and every thing contrary to peace, charity, and
 “ brotherly love, be buried in entire oblivion, I should very much rejoice, and would most
 “ willingly concur in any scheme that could effectuate this most desirable end, and that
 “ could make us, with one mind, and with one mouth, glorify God and the Father of our
 “ Lord Jesus Christ.---

“ Why should the small body of Catholics now in England, who, by your endeavours,
 “ and the liberality and indulgence of an enlightned and beneficent legislature, have ob-
 “ tained a more free exercise of their religion, why should they become more disunited than
 “ ever, and more addicted to quarrels and disputes? As a minister of the gospel of peace, I
 “ have a right to put these questions, and to use my utmost endeavors to bring about peace
 “ and reconciliation with all discordant members of our holy faith and communion. I firmly
 “ believe that all, that are at variance, most sincerely wish to be united again in the hands
 “ of friendship, cordiality, and brotherly love. Shall then some punctilioes, or some over-
 “ weaning attachment to an over hasty resolution or step, obstruct a measure which would
 “ be attended with the most happy consequences? Though this letter is not much to the
 “ purport of your letter, and I much fear not to any purpose at all, yet being so full of what
 “ I so much wish, I could not refrain from committing my hasty thoughts to writing.

“ With respectful compliments to all the Members of the Committee, I am their and

“ Your most obedient humble Servant,

“ THOMAS TALBOT.

“ CHARLES BUTLER, Esq.,”

F

My

“ MY LORD, AND GENTLEMEN,

“ In answer to your favor of the 2d instant we beg leave to say:

“ That we do not conceive ourselves under any obligation to give any declaration whatever concerning Mr. Charles Plowden’s pamphlet.

“ CHARLES WALMESLEY. V. A.

“ WILLIAM GIBSON. V. A.

“ JOHN DOUGLAS. V. A.

“ The Right Hon. LORD PETRE.

“ Sir H. C. ENGLEFIELD.

London, Feb. 16, 1792.

“ Sir JOHN THROCKMORTON.

“ THOMAS HORNYOLD.

Here then the matter rests. To Mr. Talbot we feel ourselves greatly obliged for his candid, friendly, and truly pastoral answer. The refusal of the other Apostolical Vicars, either to avow or to deny the charges made, in their name, against us, we, for their sakes, sincerely lament. If they really commissioned the author in question publicly to accuse and revile us in the manner he has done; if it be true, that in this he has acted by their desire and spoken their language, do not the laws of the gospel call upon them as christians to avow it? The rules of honor, the common principles of equity, the acknowledged duties and rights of society, the usual practice in the intercourse of civil life, do all most certainly call upon them for this avowal.

If on the contrary the writer had not their authority for his accusations and revilings; if he has imputed to them a language which they do not speak; it is a justice which they owe our characters, so grossly traduced in their names, and under the sanction of their authority, to declare publicly to the world, that it was not done at their request, and that this is not the language in which they speak of us.—But here we pause.

Let the three Apostolical Vicars and the Rev. Charles Plowden balance their own account, and settle amongst themselves, whether *he* has pretended a commission which they never

never gave him, or *they* have given him a commission which they are ashamed to avow. We (after the following short observations on three charges in the libel) shall dismiss from us the inglorious controversy, and dismiss it for ever.

V.

THE FIRST CHARGE is selected from page 127 of the libel. We select it, because it contains the most atrocious of all the Rev. Charles Plowden's charges against us.—Besides (as the reverend gentleman has evidently exerted in it all his pious sensibilities, all his eloquence and all his reasoning powers) it is a fair specimen of the unctious with which the work is written, the christian charity with which the libeller, and those, whose language he speaks, have judged of our conduct, their profound knowledge of the subject, and the fairness and precision with which they reason upon it.

Speaking of the clause in the bill, as it was brought into the House of Commons, by which Justices of the Peace were authorized to tender the oath to persons frequenting places of religious worship licenced by that act, he says: “ The Committee, in the excess of their
 “ extravagance, had even the hardness to hope, that the present Bench of Bishops would
 “ concur, by their votes, to drag catholic prelates, priests and laymen from the foot of their
 “ altars to the receptacles of murderers and robbers. The detestable penal clause far ex-
 “ ceeds the bitterness of laical malevolence, it could only be conceived or ripened in the
 “ breast of corrupted priests. Indeed we do not impute the invention of it to the lay
 “ gentlemen of the Committee; their guilt in admitting and defending it is sufficiently
 “ enormous, but still it leaves room for compassion. We can pity sinners, but we have not
 “ language strong enough for the dæmon that seduces them. O let them sink into dark-
 “ ness; let them hide their heads confounded and abashed.” Speaking again of the clause, in page 129, he calls it “ a diabolical clause, which our misguided Committee have endeavoured to enact against us.” Those are the charges. What is the truth?—

The truth is as follows;—The act of the first of King William and Queen Mary, commonly called the Act of Toleration, contains, among other clauses, a clause from which that in question is copied. Our act, as you will find by the perusal of it, does not contain the clause in question, or any clause of the like effect. It was shewn to a person of the highest situation in the country. He took notice of this circumstance, and required the insertion of the clause. The gentleman, through whom we had this communication, signified this requi-
 sition

sition to us, and sent us the clause, written out in his own hand, for the insertion of it in our Bill, and in his own hand-writing it is now in our custody.

The following are the clauses, as they stand in the Act of Toleration, and in our Bill.

Copy of the 12th Clause in the 1st of William and Mary, c. 18.—Ruffhead's Statutes, 3. v. p. 426.——

“ And be it further enacted, by the au-
 “ thority aforesaid, that every Justice of
 “ the Peace may at any time hereafter re-
 “ require any person that goes to any meet-
 “ ing for exercise of religion, to make and
 “ subscribe the declaration aforesaid *, also
 “ to take the said oaths †, or declaration of
 “ fidelity hereinafter mentioned ‡, in case
 “ such person scruples the taking of an
 “ oath, and upon refusal thereof such Jus-
 “ tice of the Peace is hereby required to
 “ commit such person to prison without
 “ bail or mainprize, and to certify the name
 “ of such person to the next General or
 “ Quarter Sessions of the Peace, to be held
 “ for that county, city, town, part or divi-
 “ sion where such person then resides; and
 “ if such person so committed, shall, upon a
 “ second tender at the General or Quarter
 “ Sessions, refuse to make and subscribe the
 “ declaration aforesaid, such person refus-

Copy of the Clause above referred to in the Catholic Bill.

“ And be it farther enacted that every
 “ Justice of the Peace, may, at any time
 “ hereafter, require any person that goes
 “ to any place of congregation or meeting
 “ for exercise of religion, certified and re-
 “ gistered under this act, to take and sub-
 “ scribe the oath of allegiance and abjura-
 “ tion, and of protestation and declara-
 “ tion herein before prescribed, and upon
 “ refusal thereof such Justice of the Peace
 “ is hereby required to commit such per-
 “ son to prison without bail or mainprize,
 “ and to certify the name of such person
 “ to the next General or Quarter Sessions
 “ of the Peace, to be held for that county,
 “ city, town, part or division where such
 “ person shall then reside, and if such per-
 “ son so committed, shall, upon a second
 “ tender at the General or Quarter Ses-
 “ sion, refuse to take and subscribe such
 “ oath of allegiance and abjuration and of

* The declaration here referred to is the oath prescribed by the 30th Car. ii. st. ii. c. 1. commonly called the declaration against popery.

† The oaths referred to here are the oaths prescribed by the first of William and Mary, c. 1.

‡ The declaration of fidelity here referred to is contained in the same statute.

“ ing shall be then and there recorded, and
 “ he shall be taken thenceforth to all in-
 “ tents and purposes for a Popish Recu-
 “ fant Convict, and suffer accordingly, and
 “ incur all the penalties and forfeitures of
 “ all the aforesaid laws.”

“ protestation and declaration as aforesaid,
 “ such person refusing shall be taken and
 “ there recorded, and he shall be taken
 “ thenceforth to all intents and purposes
 “ for a Popish Recufant, and suffer accord-
 “ ingly, and incur all penalties and forfeit-
 “ ures as if this Act had not been made.”

Besides, this Act did not authorize Justices to tender the oath to any priest or any layman, but such as should go to some *place of congregation or meeting for exercise of religion, certified and registered under that Act*. Those, therefore, who objected to the oath, (and who consistently with their own principles must have refrained from resorting to the places in question,) would not be liable by the clause in question to have the oath tendered to them; not one of these would have come under the operation of the act.

It was even suggested to the Committee, that this clause, so far from being penal, might actually be serviceable to the Catholics. No person is authorized by the Act to take the oath, except at the place appointed by the Act, viz. the Courts at Westminster, or the Courts of Quarter Sessions. From any place of this description many Catholics live at a considerable distance. Now it was conceived, that, by a liberal construction of this clause, Catholics might be intitled to the benefit of this Act, if they took the oath when required by Justices under this clause.

Thus, my Lords and Gentlemen, you see the clause in question was neither conceived nor ripened by us; that it was copied, verbatim, from an act of the last century; that it was not inserted in *our* Bill; but that it was forced into a Bill for our relief, which did not originate with us; and that none but those who took the oath in question would have been subject to its operation, and to those Catholics it might have been essentially serviceable.—We shall dwell no longer on the horrid accusation.—The charge and defence are before you.—If at this moment, the feelings of the Reverend Charles Plowden, and of those whose language he speaks, are not of the most painful kind, they are to be pitied indeed.

We proceed to the next charge. Your protestation, the libeller bewails, *as the cause of all our woes*, and boldly declares, that *we obtruded principles upon you: exerted ourselves to obtain signatures, and prevent examination: employed emissaries to hush your scruples, and pal-*

liate defects; and that hundreds among you wished in vain to retract your signatures. Obtrusion, the arts of cunning, the employment of emissaries, we know nothing of. Who among you, my Lords and Gentlemen, will stand forward, and charge us with having bubbled you by insidious artifices?

The first public, and most important, sanction given to the instrument of protestation, was the signature of the Apostolical Vicar of the Southern District, accompanied by the signatures of his clergy, whom he convened for the very purpose of signing that instrument. This was the first instance, since the Reformation, of a Catholic Prelate synodically convoking his clergy in this kingdom. The occasion was worthy of the synod, for it was to give the death-blow to ancient prejudices, and, by removing the suspicions of our protestant fellow-subjects, lay the basis of civil and religious freedom for the Catholics of England. As to the desire of hundreds to retract their signatures,—you, my Lords and Gentlemen, are the best judges of your own sentiments, and of the sentiments of your respective friends; you consequently best know, how much of truth, or how much of calumny, there is contained in that assertion. For ourselves we can only assure you, that no such desire was ever communicated to us, and we never received directions to erase any signatures, except those of Mr. Charles Walmesley, Mr. Robert Banister, and Mr. Weld of Lullworth*. On the contrary, at a meeting in Castle-Street, on February 2, 1790, eleven clergymen declared, in the presence of two Apostolical Vicars, and their coadjutors, that to recede from the protestation would be to overwhelm the English Catholics with accumulated odium. At the meeting on the 3d February, 1790, the same language was spoken. At the general meeting in May we were again instructed to proceed upon the protestation. At no meeting whatever has a hint been thrown out of a desire to recede from that instrument. The present Apostolical Vicar of the Southern District, never required the name of JOHN DOUGLAS to be withdrawn, and although at the last general meeting there were several, who did not wish the instrument to be deposited at the British Museum, not one person present expressed a desire of cancelling his signature. Where then are the hundreds of the Reverend Charles Plowden? or are he, and a few (perhaps) of his intimates, the *Turba Mundi*?

In page 117, he says, “ Let him count the names of catholic bishops, from Rome to France, to Flanders, to Ireland, through all its churches to Scotland, to England, and

* Mr Weld, in a letter to the Secretary, expressly desired it might be mentioned to the Officer at the Museum, that he wished his name to be withdrawn, *as it was against his will, and without his consent, that it was brought to the Museum.*

“ he will find their verdict unanimous, that the Committee’s oath was unlawful. Let him add the answers of universities and theologians. Let him count the clergy throughout the realm, except the Committe-men and their few secret advisers, not one in an hundred would have accepted their original oath. Let him add the detestation in which it was held by the great majority of the laity.”——

My Lords and Gentlemen, we solemnly declare, that neither the whole, nor any part of this evidence, was ever laid before your Committee. It is now more than a twelvemonth since we had the honor of addressing our last letter to you, and no part of that evidence has yet appeared to illuminate our judgment. And on what part of the intended oath could such condemnation fall?——On our renouncing with detestation the position, That Princes excommunicated by the Pope may be deposed by their subjects? To the Reverend Charles Plowden this position may still seem innocent, and unworthy of any bitter word of condemnation; yet the very Apostolical Vicars, under whose commission he pretends to write, scrupled not to reject and detest it as *false, scanda'ous, seditious, and traitorous* *.——Does then the condemnation fall upon swearing to the settlement of the crown in the protestant line? But the Apostolical Vicars at length have sworn to it.——Does it then ultimately fall upon the instrument of protestation? My Lords and Gentlemen, this is your authentic act, your public pledge as men and citizens, and you will no doubt wait for better evidence, and a higher authority, than that of the Chaplain of Lullworth, before you feel yourselves inclined to make an *amende honorable*, and abjure as a body an instrument, which you signed and presented as a body to the Legislature and to your country.

In the mean while we beg leave to acquaint you, that in pursuance of the resolution of the last general meeting, the protestation has been deposited at the British Museum, to remain there, a constant and irrefragable evidence of the purity and integrity of the moral and political principles of English Catholics.

VI.

It remains for us to present you, my Lords and Gentlemen, our most sincere thanks for the obliging and kind support we have received from you, on every occasion, during our five years appointment, and our grateful acknowledgments of the many honorable testimonies of approbation, which our conduct has received from you.—These will never escape our memory or our gratitude.

* See the form of oath printed by three Apostolical Vicars.

As individuals, our services are at the command of all and every of you. As a Committee we shall meet no more. We, therefore, surrender our trust into your hands; happy in our conscioufness of having, on every occasion, endeavoured to discharge it well, and in the approbation you have constantly and uniformly been pleased to bestow on our endeavours.

My LORDS and GENTLEMEN,

We have the honor to be, with the greatest respect,

Your most obedient humble Servants,

CHARLES BERINGTON.

JOS. WILKS.

STOURTON.

PETRE.

HENRY CHARLES ENGLEFIELD.

JOHN THROCKMORTON.

JOHN LAWSON.

WILLIAM FERMOR.

JOHN TOWNELEY.

THOMAS HORNYOLD.

Lincoln's Inn, April 21, 1792.

P. S. The Committee request, you will compare the first clause of the Bill as prepared by them, with the clause in the Bill as it now stands. The clause in their Bill directs that the oath, contained in the 18th year of his present Majesty, should no longer be taken, but that the oath, contained in that Act, should thenceforth be administered in its stead, and should give the same benefits and advantages, and should operate to the same effects and purposes, as the oath contained in the Act of the 18th year of his present Majesty.

In the Act, as it now stands, it is not said, that the oath therein contained shall intitle the persons taking the same to the benefits of the Act of the 18th year of his present Majesty. It is only said, that it shall be lawful for Catholics to take that oath, at the places and times, and in the manner therein mentioned.

Thus, it is very uncertain, whether persons, taking the oath of the last year only, will be entitled to the benefit of the act of the 18th of his present Majesty, so as to be relieved from the penalties and disabilities from which the persons, taking the oath therein prescribed, were relieved by that Act. By these penalties and disabilities the English Catholics were exposed to more real grievances, than they were by any other law inflicted against them. It seems, therefore, adviseable for every Catholic, particularly if he wishes to secure his landed property, to take both the oath prescribed by the Act of Parliament of last year, and the oath prescribed in the Statute of the 18th year of his present Majesty.

This alteration of the clause in question in our Bill was made upon the motion of the present Lord Chancellor, when the Bill for our Relief was in the House of Lords.

A P P E N D I X. (*a)



TO THE RIGHT HONORABLE

W I L L I A M P I T T,

FIRST LORD OF THE TREASURY, AND CHANCELLOR OF HIS
MAJESTY'S COURT OF EXCHEQUER,

T H E M E M O R I A L

O F H I S

MAJESTY'S ENGLISH SUBJECTS PROFESSING THE CATHOLIC RELIGION,

SH EW E T H ;

THAT by the laws now in force against persons professing the Catholic Religion, your Memorialists are deprived of many of the rights of English subjects, and the common rights of mankind.

They are prohibited, under the most severe penalties, exercising any act of religion according to their own mode of worship.

They are subject to heavy punishments for keeping schools, for educating their children in their own religious principles at home, and they are also subject to heavy punishments for sending their children for education abroad.

They are made incapable of serving in his Majesty's Armies and Navies.

They are restrained from practising the Law as Barristers, Advocates, Solicitors, Attornies or Proctors.

They are obliged on every occasion to expose the most secret transaction of their families, by reason of the expensive and perplexing obligation of enrolling their deeds.

They are subjected, by annual acts of the Legislature to the ignominious fine of the double land-tax.

They are deprived of that constitutional right of English freeholders voting for County Members; they are not allowed to vote at the election of any other Member,—they are therefore absolutely unrepresented in Parliament.

They are excluded from all places civil and military.

They are disqualified from being chosen to a seat in the House of Commons.

Their Peers are deprived of their hereditary seat in Parliament.

And their Clergy, for exercising their functions, are exposed to the heaviest penalties and punishments, and in some cases to death.

That the laws, which subject them to these disabilities, penalties and punishments, were passed against them in times of intoleration, for crimes of which they are not guilty, and for principles which they do not profess.

That if any motives of policy ever existed, which, in any point of view, or by the opinions of any set of men, could justify the general necessity or expediency of these laws, they have long since entirely ceased; to continue them, therefore, must be unjust, as it with-holds from so many subjects the first rights and comforts of society; unwise, as it produces disunion among the people; and impolitic, as it deprives the state of the labours and services of so many of its loyal subjects.

That by the gracious and salutary Act passed in the 20th of his present Majesty, that one particular law, which most prevented their safely and quietly enjoying their landed property, was formally repealed, and an oath prescribed to them by which, in the most solemn, most explicit and most unequivocal terms they disclaim the belief, that there exists in any foreign Prince, Prelate, State or Potentate, either directly or indirectly, any civil jurisdiction, power, superiority or pre-eminence whatsoever within this realm; and by which, in terms equally solemn, equally explicit and equally unequivocal, they avow their absolute and unreserved allegiance and fidelity to his Majesty's person and government, the succession of the Crown in his family, and the British constitution.

That the English Catholics have universally taken this oath.

That their general conduct has been blameless and inoffensive.

That they hold no principle which can be construed to extend to the subversion, disturbance, or disquiet of the civil or ecclesiastical government of this country.

That they live in the completest harmony with their fellow-subjects, only separated from them by a difference of opinion in matters of religion, and only prevented from falling into the general mass of the community by the distinctions produced and kept alive by the laws still remaining in force against them.

That the British Government, and the Nation at large, have long been sensible of this, and therefore (with an humanity for which the English Catholics are truly grateful) have not permitted the laws against them to be executed in their utmost extent.—Hence, for a considerable time, none of the laws which affect their lives have been carried into execution, and there have not been many instances where those laws which affect their fortunes or their liberties have been enforced.—Prosecutions against them have received no aid from the legislature; no countenance from the courts of justice; no encouragement from the magistracy, and no favor from the people. Informers against them have been universally despised, the most virtuous and enlightened men of the age have been their advocates.—The nation is their friend, the letter of the law their only enemy.—To that it is owing, that they still languish under disabilities which cramp their industry, prevent their providing for their families, drive them from their own country for education, obtrude them on foreigners for subsistence, and make them as it were aliens among their fellow-subjects.

That the doctrine of general toleration universally prevails.

And that, no plea can be urged for tolerating in foreign countries, the Dissenters from the mode of worship established there, which may not, with as great propriety, be urged for tolerating in England those of the Catholic persuasion.

Upon these grounds your Memorialists hope for your concurrence and support, on their intended application for redress of their grievances.

A P P E N D I X.

No. I.

ADDRESS of the CATHOLIC PEERS and COMMONERS
of GREAT BRITAIN, in 1778.

To the KING's MOST EXCELLENT MAJESTY.

The Humble ADDRESS of the ROMAN CATHOLIC PEERS and COMMONERS of
GREAT BRITAIN.

MOST GRACIOUS SOVEREIGN,

WE your Majesty's dutiful and loyal Subjects, the Roman Catholic Peers and Commoners of your Kingdom of Great Britain, most humbly hope, that it cannot be offensive to the Clemency of your Majesty's Nature, or to the Maxims of your just and wise Government, that any Part of your Subjects should approach your Royal Prefence, to assure your Majesty of the respectful Affection which they bear to your Person, and their true Attachment to the Civil Constitution of their Country, which having been perpetuated through all Changes of religious Opinions and Establishments, has been at length perfected by that Revolution which has placed your Majesty's illustrious House on the Throne of these Kingdoms, and inseparably united your Title to the Crown with the Laws and Liberties of your People.

Our Exclusion from many of the Benefits of that Constitution has not diminished our Reverence to it. We behold with Satisfaction the Felicity of our Fellow Subjects: And we partake of the general Prosperity which results from an Institution so full of Wisdom. We have patiently submitted to such Restrictions and Discouragements as the Legislature thought expedient. We have thankfully received such Relaxations of

the Rigour of the Laws, as the Mildness of an enlightened Age, and the Benignity of your Majesty's Government, have gradually produced; And we submissively wait, without presuming to suggest either Time or Measure, for such other Indulgence, as those happy Causes cannot fail, in their own Season to effect.

We beg Leave to assure your Majesty, that our Dissent from the legal Establishment, in Matters of Religion, is purely conscientious; that we hold no Opinions adverse to your Majesty's Government, or repugnant to the Duties of good Citizens. And we trust, that this has been shewn more decisively by our irreproachable Conduct for many Years past, under Circumstances of public Discountenance and Displeasure, than it can be manifested by any Declaration whatever.

In a Time of Public Danger, when your Majesty's Subjects can have but One Interest, and ought to have but One Wish, and One Sentiment, we humbly hope it will not be deemed improper to assure your Majesty of our unreserved Affection to your Government, of our unalterable Attachment to the Cause and Welfare of this our common Country, and our utter Detestation of the Designs and Views of any Foreign Power, against the Dignity of your Majesty's Crown, the Safety and Tranquillity of your Majesty's Subjects.

The Delicacy of our Situation is such, that we do not presume to point out the particular Means by which we may be allowed to testify our Zeal to your Majesty, and our Wishes to serve our Country; but we entreat Leave faithfully to assure your Majesty, that we shall be perfectly ready, on every Occasion, to give such Proofs of our Fidelity, and the Purity of our Intentions, as your Majesty's Wisdom, and the Sense of the Nation, shall at any Time deem expedient.

NORFOLK, C. M.

SURREY

SHREWSBURY

LINTON, *for the Scotch*

STOURTON

PETRE

ARUNDELL

DORMER

TEYNHAM

CLIFFORD

Charles Stourton

Hugh Clifford

Thomas Fletewood

Henry Englefield

Henry Tichborne

W. Jerningham

Francis Mannock

Walter Vavafour

Robert Throckmorton

Walter Blount

Henry Hunloke

Richard Aston

John Webb

Thomas Gage

Edward Swinburne

Richard Bedingfield

Edward Smythe

William Stanley

Henry Lawson

Thomas Stapleton

Robert Berkeley

William Sheldon, *jun.*

Thomas Hornyold

Francis Talbot

Philip Roper

John Barnwall Curson

W. H. Maxwell Constable

Henry Darell

Thomas Hawkins

Henry Charles Englefield

Thomas Hornyold, *jun.*

Thomas Berington

William Jones

Thomas Weld

John Biddulph

Anthony Wright, *jun.*

John Towneley

Robert Dolman, *jun.*

Robert Dolman

Robert Strickland

Thomas Witham

Francis Witham

Charles Stonor

John Giffard

John Vincent Gandolfi

Peter Joseph Gandolfi

Francis Hutton

Anthony Wright

Thomas Langdale

William Witham, *jun.*

Ferdinand Huddleston

Henry Bostock

James Hunloke

Robert

Robert Hunloke
 Windfor Hunloke
 Thomas Huddleston
 Richard Huddleston
 Thomas Taunton
 Samuel Taunton
 Philip Jones
 Joseph Webb
 Ignatius Geoghegan
 Charles Biddulph
 Charles Talbot
 Francis Eyre
 Edmond Plowden
 Francis Plowden
 Francis Sheldon
 Robert Kilbye Cox
 Francis Wright
 Charles Dormer, *jun.*
 F. Fortescue Turvile
 Edward Sheldon
 Miles Stapleton
 George Cary
 T. Strickland
 Henry Maire
 J. Strickland, *jun.*
 Thomas Swinburne
 Edward Bedingfeld
 Henry Crathorne
 T. Dillon
 William Charlton
 Henry Fermor
 Edward Cary
 William Colegrave
 Philip Langdale
 George Hencage
 Robert Cansfield Gerard
 John Frankland
 Edward Jertingham
 Francis Prujean
 William Prujean

Vin. Eyre
 Michael Blount
 James Butler
 Thomas Fitzherbert
 John Berkeley
 Robert Stanford
 William Aston
 James Stanford
 William Sheldon
 R. Sheldon
 William Fenwick
 John Fenwick
 Henry Witham
 Henry Wakeman
 Francis Cholmley
 Francis Cholmley
 John Chichester
 Thomas Clifton
 Sim. Scroope
 John Trafford
 William Witham
 Andrew Mathew
 John Wright
 Charles Dormer
 John Lawson
 Francis Trapps
 R. Clavering
 George Ann
 William Kirfopp
 James Nelson
 John Stanley Maffey
 James Fermor
 Henry Howard
 Richard Lacon
 George Silvertop
 John Silvertop
 John Lawson
 Robert Dalton
 Joseph Scarfbick
 Jeremy Norris

George Tasburgh
 Thomas Tunstall
 Robert Macclesfield
 P. Holford
 Thoma Havers
 Thomas Shuttlewort
 David Nagle
 Joseph Nagle
 John Stonor
 Henry Blundell
 John Berington
 George Towneley
 Edward Ferrers
 William Fermor
 Robert Throckmorton, *jun.*
 Thomas Riddell
 Henry Errington
 William Constable
 Marm. Tunstall
 Peter Parry
 William Saltmarsh
 J. Gibson
 Thomas Waterton
 Nathaniel Pigott
 J. Powell Lorymer
 Thomas Selbye
 Thomas Selbye, *jun.*
 R. Riddell
 George Maxwell, *for the
 Scotch*
 John Chadwick
 Thomas Mannock
 John Lacy
 William Lacy
 John Webbe
 Thomas Webbe
 Thomas Taylor
 P. S. Mostyn
 Edward Salgard
 Charles Towneley

John Prujean
Samuel Cox
Joseph Blount
Francis Canning
Thomas Rowe
Thomas Southcote
William Clavering
Edward Clavering, *jun.*

William Dicconson
Francis Manby
John Porter
John Newton
John Vaughan
Ambrose Eyles
Francis Whitgrave
Edward Willoughby

Thomas Gibson
John Needham
John Fisher
Thomas Bassett
William Meader
John Messenger
Charles Butler
Thomas Eyre

No. II.

Draft—Bill for the Relief of the English Catholics—Drawn by Mr. Butler—
Settled by Mr. Hargrave.

WHERAS by an Act passed in the 18th Year of his present Majesty, intituled, “ An Act for relieving his Majesty’s Subjects professing the Popish Religion from certain Penalties and Disabilities imposed on them by an Act made in the 11th and 12th Years of the Reign of King William the Third, intituled, “ An Act for the further preventing the Growth of Popery,” certain Provisions in the said Act of the 11th and 12th Years of the Reign of King William the Third imposing Penalties and Disabilities on Persons professing the Popish Religion were repealed: And whereas it is deemed expedient to give further Relief to his Majesty’s Subjects professing the Popish Religion: And whereas the Person who in the Oath appointed to be taken in and by the said Act of the 18th Year of the Reign of his present Majesty is mentioned as being said to have taken upon himself the Style and Title of Prince of Wales in the life time of his Father, and since his Father’s Death, to have assumed the Style and Title of King of Great Britain by the Name of Charles the Third hath departed this Lifesince the passing the said Act, and in that Respect therefore the Oath prescribed by the said Act requires some Alteration in the Language. May it therefore please your most Excellent Majesty that it may be enacted, AND BE IT ENACTED by the King’s most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same,

Introductory Clause.

First Part of the Bill.

Alteration of the Oath prescribed by the 18th of his present Majesty.

That from and after the Day of 178 the Oath mentioned in and appointed to be taken by the said Act of the 18th Year of the Reign of his present Majesty shall no longer be administered, but there shall be administered, taken and subscribed in the Place and Stead thereof, an Oath in the Words following: (that is to say)

I A. B. do sincerely promise and swear, That I will be faithful and bear true Allegiance to his Majesty King George the Third, and him will defend to the utmost of my Power against all Conspiracies and Attempts whatsoever that shall be made against his Person, Crown or Dignity, and I will do my utmost Endeavour to disclose and make known to his Majesty, his Heirs and Successors, all Treasons and traitorous Conspiracies which may be formed against him or them; and I do faithfully promise to maintain, support and defend, to the utmost of my Power, against any Person or Persons whomsoever, the Succession of the Crown * *in the Family of his Majesty*, against any other Person claiming or pretending a Right to the Crown
of

* I think the words scored under too large and unqualified. In the 6th of Anne, chap. 7. sect. 20. the Oath appointed to be taken after the Queen’s death was to maintain the succession of the crown as it stood limited by the 11th and 12th William III. ch. 2. to the Princess Sophia, Electress and Dutchess Dowager of Hanover, and the heirs

of these Realms: And I do swear that I do reject and detest as an unchristian and impious Position, that it is lawful to murder or destroy any Person or Persons whatsoever, for or under Pretence of their being Heretics; and also that unchristian and impious Principle, that no Faith is to be kept with Heretics. I further declare, That it is no Article of my Faith, and that I do renounce, reject, and abjure the Opinion, that Princes excommunicated by the Pope and Council, or by any Authority of the See of Rome, or by any Authority whatsoever, may be deposed or murdered by their Subjects, or any Person whatsoever: And I do declare that I do not believe that the Pope of Rome, or any other foreign Prince, Prelate, State or Potentate, hath or ought to have any temporal or civil Jurisdiction, Power, Superiority or Pre-eminence, directly or indirectly, within this Realm. And I do solemnly in the Presence of God, profess, testify and declare, that I do make this Declaration, and every Part thereof, in the plain and ordinary Sense of the words of this Oath, without any Evasion, Equivocation, or Mental Reservation whatsoever, and without any Dispensation already granted by the Pope, or any Authority of the See of Rome, or any Person whatever, and without thinking that I am or can be acquitted before God or Man, or absolved of this Declaration or any Part thereof, although the Pope, or any Person, or Authority whatsoever shall dispense with or annul the same, or declare that it was null or void.

Which Oath, so expressed as aforesaid, may and shall be administered by any of the same Courts, and may and shall be registered in the same Manner, and shall give the same Benefit and Advantages, and shall be and operate to and for all the same Intents and Purposes whatsoever, as in and by the said Act of the 18th Year of the Reign of his present Majesty is enacted, expressed, and declared of and concerning the Oath thereby prescribed.

And whereas by an Act of Parliament passed in the first Year of her late Majesty Queen Elizabeth, intituled, "An Act for the Uniformity of Common Prayer and Service in the Church and Administration of the Sacraments," and by several other Acts, particularly, an Act passed in the 23d Year of the Reign of her said Majesty Queen Elizabeth, intituled, "An Act to retain the Queen's Majesty's Subjects in their due Obedience;" an Act passed in the 29th Year of her said Majesty's Reign, intituled, "An Act for the more speedy and due Execution of certain Branches of the Statute made in the 23d Year of the Queen's Majesty's Reign, intituled, An Act to retain the Queen's Majesty's Subjects in their due Obedience;" an Act passed in the 35th Year of the Reign of her said Majesty Queen Elizabeth, intituled, "An Act for restraining of Popish Recusants to some certain Places of Abode;" an Act passed in the second, or as it is commonly called, the first Year of the Reign of his late Majesty King James the First, intituled, "An Act for the due Execution of the Statutes against Jesuits, Seminary Priests, Recusants, &c.;" an Act passed in the third

of her body, being Protestants. Here too, in like manner, I recommend a reference to the same Act for settlement of the Crown.

F. H.

In the same Act of Queen Ann the Oath so prescribed is with a blank, for the Name of the King or Queen on the throne for the time being, and the Oath is followed with a clause, directing how the blank is to be filled up from time to time. This appears to me a more correct and complete mode of framing and adjusting the Oath than is here adopted; because it provides for adapting the language of the Oath according to the time present, and so renders a future Act for altering the Oath, on the accession of every prince, unnecessary.

F. H.

Year

Second Part of
the Bill.

Repeal of the
Laws of Recu-
sancy.

Year of his said Majesty King James the First, intituled, " An Act for the better discovering and repressing Popish Recusants ;" an Act passed in the said third Year of his said Majesty King James the First, intituled, " An Act to prevent and avoid Dangers which may grow by Popish Recusants ;" and an Act passed in the seventh Year of the Reign of his said late Majesty King James the First, intituled, " An Act for administering the Oath of Allegiance and Reformation of married Women Recusants ;" all Persons are required to resort to their Parish Church or Chapel, or some usual Place where the Common Prayer shall be used, upon pain of incurring the Punishments and Disabilities in the said Acts respectively mentioned, and also are liable to Prosecution and Penalties for keeping or having in their Houses any Servant or other Person not so resorting :

NOW BE IT FURTHER ENACTED, That from and after the said Day of 178 no Papist or reputed Papist, or Person professing the Popish Religion, who before the said Day of shall have taken and subscribed the Oath specified in the aforesaid Act of the 18th Year of the Reign of his present Majesty in Manner thereby required, or who after the said Day of 178 shall take and subscribe the Oath herein before appointed to be taken and subscribed, shall be convicted or prosecuted upon, or be liable to be prosecuted upon the said last recited Statutes, or any of them, or upon any other Statute, or any other Law of this Realm, by Indictment, Information, Action of Debt, or otherwise, or be prosecuted in any Ecclesiastical Court for not resorting or repairing to his or her Parish Church or Chapel, or some other usual Place of Common Prayer to hear divine Service and join in public Worship according to the Forms and Rites of the Church of England as by Law established, or for keeping or having any Servant or other Person being a Papist or reputed Papist, or Person professing the Popish Religion, who shall not so resort or repair to his or her Parish Church or Chapel, or some such other usual Place of Common Prayer aforesaid.

AND BE IT FURTHER ENACTED, That from and after the said Day of no Person who before the said Day of shall have taken and subscribed the Oath specified in the aforesaid Act of the 18th Year of the Reign of his present Majesty in Manner thereby required, or who after the said Day of shall take and subscribe the Oath herein before appointed to be taken and subscribed in Manner hereby required, shall be presented, indicted, sued, impeached, prosecuted or convicted in any civil or ecclesiastical Court of this Realm for being a Papist, or reputed Papist, or for professing or being educated in the Popish Religion, or for hearing or saying Mass, or for being a Priest or Deacon, or entering or belonging to any ecclesiastical Order or Community of the Church of Rome, or for being present at, or performing or observing any Rite, Ceremony, Practice or Observance of the Popish Religion, or maintaining or assisting others therein.

PROVIDED ALWAYS and be it enacted, That if any Assembly of Papists, or reputed Papists, or Persons professing the Popish Religion, shall be had in any Place for religious Worship with the Doors locked, barred or bolted, during any Time of such Meeting together, all and every Person or Persons that shall come to and be at such Meeting, shall not receive any benefit from this Law, but be liable to all the Pains and Penalties now in force respecting such Meetings notwithstanding his or their taking the Oath aforesaid.

Third Part of
the Bill
Charges respect-
ing Celebration.

AND

AND BE IT FURTHER ENACTED, That if any Papist, or reputed Papist, or Person professing the Popish Religion, who before the said Day of shall have taken and subscribed the Oath specified in the aforesaid Act of the 18th Year of the Reign of his present Majesty in Manner thereby required, or who after the said Day of shall take and subscribe the Oath herein before appointed to be taken and subscribed in Manner hereby required, shall hereafter be chosen, or otherwise appointed to bear the Office of High Constable or Petty Constable, Church-Warden, or Overseer of the Poor, or any other Parochial or Ward-Office, and such Person shall scruple to take upon him any of the said Offices in regard of the Oaths, or any other Matter or Thing required by the Law to be taken or done in respect of such Office, every such Person shall and may execute such Office or Employment by a sufficient Deputy by him to be provided that shall comply with the Laws in this Behalf: PROVIDED ALWAYS that the said Deputy be allowed and appointed by such Person or Persons, and in such Manner as such Officer or Officers respectively should by Law have been allowed and appointed.

AND BE IT FURTHER ENACTED, That every Teacher or Preacher in holy Orders, or supposed holy Orders, that is a Minister, Preacher, or Teacher of a Popish Congregation, who before the said Day of shall have taken and subscribed the Oath specified in the aforesaid Act of the 18th Year of the Reign of his present Majesty in Manner thereby required, or after the said Day of shall take and subscribe the Oath hereby appointed, in Manner hereby required, shall be exempted from serving upon any Jury, or from being chosen or appointed to bear the Office of Church-Warden, Overseer of the Poor, or any other Parochial or Ward-Office, or any other Office in any Hundred, or any Shire, City, Town, Parish, Division or Wapentake.

PROVIDED ALWAYS, and be it further enacted, That nothing contained in this Act shall exempt any other Person or Persons from any of the Laws made and provided for the frequenting of divine Service on the Lord's Day, commonly called Sunday, than and except such Persons as shall resort to some Congregation or Assembly of religious Worship allowed or permitted by this Act.

PROVIDED ALSO, and be it further enacted, That neither this Act, nor any Clause, Article, or Thing herein contained, shall extend, or be construed to extend, to give any Ease, Benefit, or Advantage to any Person that shall deny in his Preaching, Teaching, or Writing, the Doctrine of the Blessed Trinity as it is declared in the Articles of Religion mentioned in the Statute of the 13th Year of the Reign of her Majesty Queen Elizabeth, or who shall by preaching, teaching, or writing, deny or gainsay the Oath or Declaration herein before mentioned and appointed to be taken as aforesaid.

AND BE IT FURTHER ENACTED, That if any Person or Persons at any Time or Times after the Day of do and shall willingly and of Purpose maliciously or contemptuously come into any Place of Congregation, or Assembly for religious Worship, permitted by this Act, and disquiet or disturb the same, or misuse any Preacher or Teacher, such Person or Persons, upon Proof thereof before any Justice of the Peace by two or more sufficient Witnesses, shall find two Sureties to be bound by Recognizance in the penal Sum of 50l. and in default of such Sureties shall be committed to Prison, there to remain till the next General or Quarter Sessions, and upon Conviction of the said Offence at the General or Quarter Sessions shall suffer the Pain and Penalty of 20l. to the Use of the King's Majesty, his Heirs and Successors.

PROVIDED

PROVIDED ALWAYS, and be it further enacted, That no Place of Congregation or Assembly for religious Worship shall be permitted or allowed by this Act until the Place of such Meeting shall be certified to the Bishop of the Diocese, or to the Archdeacon of that Archdeaconry, or to the Justices of the Peace at the General or Quarter Sessions of the Peace for the County, City, or Place in which such Meeting shall be held, and until the Place of such Meeting shall be registered in the said Bishop's or Archdeacon's Court respectively, or recorded at the said General or Quarter Sessions, the Register or Clerk of the Peace whereof respectively is hereby required to register the same, and to give Certificate thereof to such Person as shall demand the same, for which there shall be no greater Fee or Reward taken than the Sum of Sixpence.

PROVIDED ALSO, and be it further enacted, That nothing herein contained shall be construed to exempt any of the Persons aforesaid from paying Tythes, or other parochial Duties, or any other Duties to the Church or Minister, or from any Prosecution in any ecclesiastical Court or elsewhere for the same, or to repeal any Part of the Statute made in the 26th Year of the Reign of his late Majesty King George the Second, intituled, "An Act for the better preventing of clandestine Marriages," or any Part of any other Statute concerning the Solemnization of Marriages.

And whereas by a Statute made in the first Year of the Reign of Queen Elizabeth, intituled, "An Act to restore to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign Powers repugnant to the same," the Persons therein mentioned were made compellable to take the Oath therein mentioned, commonly called the Oath of Supremacy: And whereas by a Statute made in the 3d Year of King James the First, intituled, "An Act for the better discovering and repressing Popish Recusants," another Oath, commonly called the Oath of Allegiance or Obedience, was required to be taken by the Persons therein mentioned: And whereas by a Statute made in the first Session of the first Year of King William and Queen Mary, intituled, "An Act for the abrogating the Oaths of Supremacy and Allegiance and appointing other Oaths," the said Oaths so required by the said Statutes of the 1st of Elizabeth and 3d of James the First were abrogated, and a new Oath of Allegiance and a new Oath of Supremacy were introduced and required to be taken: And whereas by a Statute made in the second Session of the first Year of his late Majesty King George the First, intituled, "An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hope of the pretended Prince of Wales and his open and secret Abettors," amongst other Oaths thereby appointed to be taken, one is an Oath of Supremacy in the same Words as the Oath of Supremacy required by the said recited Statute of the first Session of the first Year of King William and Queen Mary: And whereas under the Provisions of the said two last recited Statutes Persons in general are liable to have the Oath of Supremacy therein mentioned tendered to them, and are exposed to Penalties for not taking such Oath when tendered, as is required by the said two last recited Statutes respectively. Now, from tenderness to the Scruples and Objections which Persons professing the Popish Religion have to a Part of the said Oath of Supremacy so appointed by the said two last recited Statutes;

BE IT FURTHER ENACTED, that from and after the said _____ Day of _____
no Papist, or reputed Papist, or person professing the Popish Religion, who before the said _____ Day of _____

Fourth Part of
the Bill.

Repeal of the
Acts respecting
Oaths and Sub-
scriptions.

of shall have taken and subscribed the Oath appointed by the said Statute of the eighteenth Year of his present Majesty, or after the said Day of shall take and subscribe the Oath hereby required, shall be liable to any penalty or punishment, or to be convicted or prosecuted in any Manner whatever, for not taking and subscribing, or for refusing or declining to take and subscribe the said Oath of Supremacy so appointed by the said two last recited Statutes, or by any other Statute or Law now subsisting, except where such Person shall be required or liable by any Statute or Law, to take and subscribe such Oath as a Qualification for taking or holding any Office or Employment, or for acting in any Profession, or for receiving any Pay, Wages, Salary, Fee or other Emolument.

AND BE IT ALSO ENACTED, that from and after the day of the Act made and passed in the first Year of their Majesties King William and Queen Mary intituled " An Act for the removing Papists and reputed Papists from the Cities of London and Westminster " shall not extend, or be deemed, taken, or construed to extend to any Papist, or reputed Papist, or Person professing the Popish Religion, who before the said Day of shall have taken and subscribed the Oath appointed by the said Statute of the 18th Year of his present Majesty, or after the said Day of shall take and subscribe the Oath hereby required.

And whereas by an Act made and passed in the 7th and 8th Years of the Reign of his Majesty King William the Third, intituled " An Act for the better Security of his Majesty's Royal Person and Government," it is enacted, that no Person who shall refuse to take the Oaths directed by the said Act of the first Year of the Reign of their Majesties King William and Queen Mary intituled " An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths," or being Quakers, shall refuse to subscribe the Declaration of Fidelity, directed by one other Act of Parliament made in the said first Year of the Reign of their said Majesties King William and Queen Mary, intituled " An Act for exempting their Majesties Protestant Subjects dissenting from the Church of England from the penalties of certain Laws," (which Oaths and Subscription respectively the Sheriff or Chief Officer taking the Poll, at any Election of Members to serve in Parliament, at the Request of any one of the Candidates, is, by the said Act of the 7th and 8th Year of his Majesty King William the Third, empowered and required to administer) shall be admitted to give any Vote for the Election of any Knight of the Shire, Citizen, Burgefs or Baron of the Cinque Ports to serve in Parliament.

NOW BE IT ENACTED, that from and after the said Day of the Oaths of Declaration prescribed by the said Act of the 7th and 8th Years of his said Majesty King William the Third, shall not be put or administered to, or be required to be taken by any Papist, or person professing the Popish Religion, as a Qualification or Requisite to enable him to give his Vote for the Election of any Knight of the Shire, Citizen, Burgefs or Baron of the Cinque Ports to serve in Parliament. But, in the place and stead of the said Oaths and Declaration, the Oath in and by this present Act mentioned and appointed to be

* I wish to consider this and the two following Clauses further.—F. H.

taken

Fifth part of the Bill.

Repeal of the laws which disable Catholics from voting at elections.*

taken as aforesaid shall be put to, and be required to be taken by Papists, or reputed Papists, or persons professing the Popish Religion, before they shall be so admitted to vote as aforesaid, and shall be administered by the same persons and in the same manner as the said Oaths and Declarations are by the said last mentioned Act prescribed to be administered.

And whereas by an Act made and passed in the 30th Year of the Reign of King Charles the Second, intituled "An Act for the more effectual preserving the King's Person and Government by disabling Papists from sitting in either House of Parliament," it was enacted, that no Peer of this Realm, or Member of the House of Peers, should vote or make his Proxy in the House of Peers, or sit there during any Debate in the said House of Peers, nor any Member of the House of Commons should vote in the House of Commons, or sit there during any Debate in the said House of Commons, after their Speaker should be chosen, until such Peer or Member should take the several Oaths of Allegiance and Supremacy.

Sixth part of the Bill.

Repeal of the laws which disable Catholics from sitting in Parliament.

Now be it further enacted, that from and after the said Day of the Oath in this present Act mentioned and appointed to be taken as aforesaid, shall be taken and subscribed by such of the Peers of this Realm, or Members of the House of Peers, or Members of the House of Commons, who shall be Papists or reputed Papists, or who shall profess the Popish Religion, instead of the Oaths and Declaration aforesaid prescribed by the said Act of the 30th Year of the Reign of King Charles the Second, and shall be administered by the same persons, and in the same manner, and shall have the same operation to qualify Papists, or reputed Papists, or persons professing the Popish Religion for sitting and voting in the House of Lords and House of Commons respectively, as in and by the said Act of the 30th of Charles the Second is mentioned respecting the Oaths and Declaration thereby prescribed.

AND BE IT FURTHER ENACTED, that nothing contained in the Act of the first Year of the Reign of their Majesties King William and Queen Mary, intituled "an Act to vest in the two Universities the Presentation of Benefices belonging to Papists," or in the Act of the 12th Year of the Reign of her Majesty Queen Ann, intituled "an Act for rendering more effectual an Act made in the third Year of the Reign of King James the First, intituled "an Act to prevent and avoid Dangers which may grow by Popish Recusants," and also of one other Act made in the first Year of the Reign of their Majesties King William and Queen Mary, intituled "an Act to vest in the two Universities the Presentations to Benefices belonging to Papists, and for vesting in the Lords of Jusiciary, power to inflict the same punishments against Jesuits, Priests, and other trafficking Papists, which the Privy Council of Scotland was empowered to do by an Act passed in the Parliament of Scotland, intituled "an Act to prevent the Growth of Popery;" or in the Act of the 11th Year of King George the Second, intituled "an Act for securing the Estates of Papists conforming to the Protestant Religion against the Disabilities created by several Acts of Parliament relating to Papists, and for rendering more effectual the several Acts of Parliament made, for vesting in the two Universities in that part of Great Britain called England, the Presentation to Benefices belonging to Papists," shall disable or prevent any Papist, or reputed Papist, or person professing the Popish Religion, from presenting, collating or nominating to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital or Donative, or from Granting any Avoidance of any Benefice, Prebend or Ecclesiastical Living, provided that the person so presented, collated or nominated, be properly qualified as by Law is required.

Seventh part of the Bill.

Repeal of the laws which disable Catholics from presenting to advowsons.

And

Eighth part of
the Bill

Repeal of the
Laws requiring
Catholics to re-
gister their
deeds & wills.

And Whereas by a Statute made in the second Session of the first Year of his late Majesty King George the first, intituled "an Act to oblige Papists to register their Names and Real Estates," all and every such person and Persons as therein are described, are in Default of taking, within the Time thereby limited, the several Oaths of Allegiance, Supremacy and Abjuration required by the said Statute of the first Session of the first Year of his said late Majesty King George the First herein before recited, and of repeating and subscribing the Declaration against Transubstantiation and Popery expressed in and required by a Statute made in the second Session of the 30th Year of King Charles the second, required to register their Names, and also their Lands, Tenements and Hereditaments, in manner and under the penalties in the said now recited Statute mentioned and expressed: AND WHEREAS by an Act passed in the third Year of his said Majesty King George the First, intituled "an Act for explaining an Act passed in the last Session of Parliament, intituled "an Act to oblige Papists to register their Names and real Estates, and for enlarging the Time "of such registering, and for securing Purchases made by Protestants,"—and by other subsequent Acts, IT IS ENACTED, that no Manors, Lands, or any Interest therein, or Rent or Profit thereof, shall pass, alter or change from any Papist, or person professing the Popish Religion, by any Deed or Will, except such Deed within six Months after the Date, and such Will within six Months after the Death of the Testator, be enrolled in one of the King's Courts of Record at Wellminster, or within the County wherein the Manors or Lands do lie: AND WHEREAS the said two recited Acts for Registry and Inrolment, do expose Persons professing the Popish Religion, and their Estates, to great Inconvenience and Embarrassment; NOW BE IT FURTHER ENACTED, that the said two last recited Acts of the first and third Years of his said Majesty King George the First, and also such Parts of all other Acts as require the Registry of the Names and Estates of persons being Papists, or professing the Popish Religion, or being reputed to be such, shall be, and the same are hereby utterly repealed, abrogated and made void; and, from the passing of this Act, no person whatsoever shall be prosecuted, sued, molested or otherwise affected, by reason of not having complied with or conformed to the said hereby repealed Acts, and parts of Acts, or any of them; and all Deeds and Wills shall, from the passing of this Act, be as good and effectual, both at Law and in Equity, and to and for all Intents and Purposes whatsoever, as if the said hereby repealed Acts and part of Acts had never been made.

Ninth part of
the Bill.

Repeal of the
Laws which dis-
able the Catho-
lics from prac-
tising the Law.*

AND WHEREAS by an Act made and passed in the 7th and 8th Years of the Reign of King William and Queen Mary, intituled "an Act requiring the Practisers of Law to take the Oaths and subscribe the Declaration therein mentioned;" and an Act made and passed in the first Year of the Reign of his Majesty King George the first, intituled "an Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors," all Persons acting as a Sergeant at Law, Counsellor at Law, Barrister, Advocate, Attorney, Solicitor, Proctor, Clerk or Notary, by practising in any manner as such, in any Court or Courts whatsoever, not having before the Time of such acting taken the Oaths and Declaration in the said Acts respectively prescribed, are made subject or liable to the Penalties in the same Acts respectively mentioned.

* I wish to have an opportunity of considering this Clause further ---- P. H.

NOW BE IT FURTHER ENACTED, that the Oaths and Declaration in and by the said last mentioned Acts respectively mentioned and appointed to be taken and subscribed by persons acting as a Sergeant at Law, Counsellor at Law, Barrister, Advocate, Attorney, Solicitor, Professor, Clerk or Notary as in the said Acts respectively is mentioned, shall from and after the Day of next after passing this present Act, be no longer put or administered to, or required to be taken by any Papist or person professing the Popish Religion, as a Qualification or Requisite to enable him to act in the Capacities aforesaid, or any of them; But the Oath in and by the present Act expressed and appointed to be taken and subscribed as aforesaid, shall from and after the said Day of next be administered, taken and subscribed to and by Papists, or persons professing the Popish Religion, and acting or requiring to act in the Capacities aforesaid, or any of them, in the stead and place of the said Oaths and Declaration, and every of them. And in order thereto, the Oath in and by this present Act expressed and appointed to be taken as aforesaid, may and shall be administered, taken and subscribed in the same Courts, and may and shall be registered in the same manner as the Oaths and Declaration, in the room of which it is hereby substituted, are by the Acts so prescribing the same Oaths and Declaration respectively as aforesaid, appointed to be administered, taken, subscribed and registered: And when so taken, subscribed and registered shall, for the purpose of enabling Papists, or reputed Papists, or Persons professing the Popish Religion, to act in the Capacities aforesaid, or any of them, have the same Effect and Operation, to all Intents, Constructions and Purposes whatsoever, as the Oaths and Declaration, in the Room of which it is hereby substituted*.

Drawn, by the Direction of the COMMITTEE of ENGLISH CATHOLICS, by me

CHARLES BUTLER.

Lincoln's Inn, 14 Aug. 1788.

* S I R,

The subject of this Bill is of immense Extent, the Statutes meant to be repealed being numerous and complicated: And though I have considered this Draught of the proposed Bill, with a laborious Anxiety to accomplish the Views with which I have been consulted, yet I do not feel myself justified in returning this present Draught of the Bill, in conformity to the request made to me, without expressing a wish, that I may once more have the opportunity of revising it. What are the parts of the Bill, which appear to me most to require my revival, I have explained in my marginal annotations. The arduousness of properly settling a Bill, on a subject of such great complication and variety, and also of such peculiar delicacy, being considered, I trust, that my request of being permitted once more to deliberate upon the draught of the proposed Bill, will not be deemed unreasonable.

Boswell Court, 10 Dec. 1788.

FRA. HARGRAVE.

I have further considered this Bill, and I approve of the draught as it now stands, subject only to the marginal observations I have made in fol. 3.

Boswell Court, 24 March 1789.

FRA. HARGRAVE.

No. III.

T H E
 DECLARATION and PROTESTATION
 SIGNED BY THE
 ENGLISH CATHOLIC DISSENTERS IN 1789:
 With the NAMES of those who signed it.

WE whose Names are hereunto subscribed, Catholics of England, do freely, voluntarily, and of our own accord, make the following solemn Declaration and Protestation.

Whereas Sentiments unfavourable to us as Citizens and Subjects have been entertained by English Protestants, on account of Principles which are asserted to be maintained by us and other Catholics, and which Principles are dangerous to Society, and totally repugnant to political and civil Liberty;—it is a Duty that we, the English Catholics, owe to our Country as well as to ourselves, to protest, in a formal and solemn Manner, against Doctrines that we condemn, and that constitute no Part whatever of our Principles, Religion, or Belief.

We are the more anxious to free ourselves from such Imputations, because divers Protestants, who profess themselves to be real Friends to Liberty of Conscience, have, nevertheless, avowed themselves hostile to us, on account of certain Opinions which we are supposed to hold. And we do not blame those Protestants for their Hostility, if it proceeds (as we hope it does) not from an intolerant Spirit in Matters of Religion, but from their being misinformed as to Matters of Fact.

If it were true that we, the English Catholics, had adopted the Maxims that are erroneously imputed to us, we acknowledge that we should merit the Reproach of being dangerous Enemies to the State; but we detest those unchristian-like and execrable Maxims: and we severally claim, in common with Men of all other Religions, as a matter of natural Justice, that we, the English Catholics, ought not to suffer for or on account of any wicked or erroneous Doctrines that may be held by any other Catholics; which Doctrines we publicly disclaim; any more than British Protestants ought to be rendered responsible for any dangerous Doctrines that may be held by any other Protestants, which Doctrines they, the British Protestants, disavow.

1st, We have been accused of holding, as a Principle of our Religion, that Princes excommunicated by the Pope and Council, or by Authority of the See of Rome, may be deposed or murdered by their Subjects, or other Persons.

But

But, so far is the above-mentioned unchristian-like and abominable Position from being a Principle that we hold, that we reject, abhor, and detest it, and every Part thereof, as execrable and impious; and we do solemnly declare, That neither the Pope, either with or without a General Council, nor any Prelate, nor any Priest, nor any Assembly of Prelates or Priests, nor any ecclesiastical Power whatever can absolve the Subjects of this Realm, or any of them, from their Allegiance to his Majesty King GEORGE THE THIRD, who is, by Authority of Parliament, the lawful King of this Realm, and of all the Dominions thereunto belonging.

2d, We have also been accused of holding, as a Principle of our Religion, That implicit Obedience is due from us to the Orders and Decrees of Popes and General Councils; and that therefore if the Pope, or any General Council, should, for the Good of the Church, command us to take up Arms against Government, or by any Means to subvert the Laws and Liberties of this Country, or to exterminate Persons of a different Persuasion from us, we (it is asserted by our Accusers) hold ourselves bound to obey such Orders or Decrees, on Pain of eternal Fire:

Whereas we positively deny, That we owe any such Obedience to the Pope and General Council, or to either of them; and we believe that no Act that is in itself immoral or dishonest can ever be justified by or under Colour that it is done either for the Good of the Church, or in Obedience to any ecclesiastical Power whatever. We acknowledge no Infallibility in the Pope; and we neither apprehend nor believe, that our Disobedience to any such Orders or Decrees (should any such be given or made) could subject us to any Punishment whatever. And we hold and insist, That the Catholic Church has no Power that can, directly or indirectly, prejudice the Rights of Protestants, inasmuch as it is strictly confined to the refusing to them a Participation in her Sacraments and other religious Privileges of her Communion, which no Church (as we conceive) can be expected to give to those out of her Pale, and which no Person out of her Pale will, we suppose, ever require.

And we do solemnly declare, That no Church, nor any Prelate, nor any Priest, nor any Assembly of Prelates or Priests, nor any ecclesiastical Power whatever, hath, have, or ought to have any Jurisdiction or Authority whatsoever within this Realm, that can, directly or indirectly, affect or interfere with the Independence, Sovereignty, Laws, Constitution or Government thereof; or the Rights, Liberties, Persons, or Properties of the People of the said Realm, or of any of them, save only and except by the Authority of Parliament; and that any such Assumption of Power would be an Usurpation.

3d, We have likewise been accused of holding as a Principle of our Religion, That the Pope, by Virtue of his Spiritual Power, can dispense with the Obligations of any Compact or Oath taken or entered into by a Catholic: that therefore no Oath of Allegiance, or other Oath, can bind us; and, consequently, that we can give no Security for our Allegiance to any Government.

There can be no Doubt but that this Conclusion would be just, if the original Proposition upon which it is founded were true; but we positively deny that we do hold any such Principle. And we do solemnly declare, That neither the Pope, nor any Prelate, nor any Priest, nor any Assembly of Prelates or Priests,

nor

nor any Ecclesiastical Power whatever, can absolve us, or any of us, from, or dispense with, the Obligations of any Compact or Oath whatsoever.

4th, We have also been accused of holding as a Principle of our Religion, that not only the Pope, but even a Catholic Priest, has Power to pardon the Sins of Catholics at his Will and Pleasure; and therefore, that no Catholic can possibly give any security for his Allegiance to any Government, inasmuch as the Pope, or a Priest, can pardon Perjury, Rebellion, and High-Treason.

We acknowledge also the justness of this Conclusion, if the Proposition upon which it is founded were not totally false. But we do solemnly declare, That, on the contrary, we believe that no Sin whatever can be forgiven at the Will of any Pope, or of any Priest, or of any Person whomsoever; but that a sincere sorrow for past Sin, a firm resolution to avoid future Guilt, and every possible Atonement to God and the injured Neighbour, are the previous and indispensable Requisites to establish a well-founded Expectation of Forgiveness.

5th, And we have also been accused of holding as a Principle of our Religion, That “no Faith is to be kept with Heretics;” so that no Government which is not Catholic can have any any Security from us for our Allegiance and peaceable Behaviour.

This Doctrine, that “Faith is not to be kept with Heretics,” we reject, reprobate, and abhor, as being contrary to Religion, Morality, and common Honesty:—and we do hold and solemnly declare, That no Breach of Faith with any Person whomsoever can be justified by Reason of or under Pretence that such Person is an Heretic or an Infidel.

And we further solemnly declare, That we do make this Declaration and Protestation, and every Part thereof, in the plain and ordinary Sense of the Words of the same, without any Evasion, Equivocation, or Mental Reservation whatsoever.

And we appeal to the Justice and Candour of our Fellow-Citizens, whether we, the English Catholics, who thus solemnly disclaim, and from our Hearts abhor, the above-mentioned abominable and unchristian-like Principles, ought to be put upon a Level with any other Men who may hold and profess those Principles?

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Wm.

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Jarard Strickland
 Philip Saltmarsh
 Tho. Mitchell
 Tho. Atkinson
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 George Ruffell
 John Clavering
 Rev. Nich. Clavering
 Thomas Selby
 Rev. J. J. Naylor
 William Conmyns
 Rev. Jasper Leadbitter
 Jasper Gibfon
 Jasper Gibfon, jun.
 John Gibfon
 Tho. Leadbitter
 Ralph Leadbitter
 Tho. Jefferson
 J. Errington
 Tho. Haggerston
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 Rev. William Warrilow
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 Tho. Taylor
 William S. Davison
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 Marnaduke Tunstall
 Rev. Tho. Penswick
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 Rev. Rich. Talbot
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 Matt. Whitfield
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Geo. Gibfon
 Fran. Hunt
 William Charlton
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 Robert Bishoprick
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 Cottam Birdfall
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 Edward Beddingfield
 Rev. John Chamberlain
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 Rev. Joseph Dunn
 Rev. Richard Morgan
 Rev. Ja. Maudsley
 Rev. John Carter

Rev. Henry Carter
 Rev. Jno. Chadwick
 Rev. Rowland Broomhead
 Rev. S. Tempest
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C. Tempest
 John Dalton
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 Evan John Gerard
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 Tho. Townley
 Hen. Brewer
 Tho. Leeming
 Peter Holdernefs
 Thomas Woodcock
 Rob. Hilton
 John Westle
 Will. Pemberton
 John Valentine
 John Heatley
 John Graystock
 John Eastwood
 Richard Sharrock
 Tho. Naylor
 James Bane
 Nic. Rigby
 Ed. Leach
 Wm. Rigby
 Lewis Naylor
 Joseph Valentine
 Tho. Rigby
 Richard Ingham
 Thomas Turner
 Rich. Turner
 Rob. Townley
 Rich. Townley
 Nicholas Mathew
 Will. Salisbury
 Thesp. Holdernefs
 Will. Eastwood
 Hen. Brewer, jun.
 Tho. Gregfon
 Christopher Rawsthorn
 James Dewhuerft
 Tho. Dewhuerft

Tho. Cheive
 Culbord Cottam
 John Bolton
 John Hine
 Tho. Horinby
 Rich. Horinby
 Rich. Brewer
 Jas. Ormston
 R. Tempest
 Rich. Hope Price
 Cha. Calvert
 Francis Reynolds
 John Fryer
 J. Brettargh
 Henry Sanderfon
 John Sanderfon
 Richard Smith
 Richard Marfh
 John Heyes
 James Crouchley
 Jno. Simpson
 Rich. Simpson
 Ralph Caldwell
 Joseph Caldwell
 Henry Caldwell
 Peter Boardman
 Jas. Unsworth
 Tho. Unsworth
 Rich. Unsworth
 Rich. Jenkinson
 Tho. Jay
 William Wood
 Matthias Smith
 James Mather
 Tho. Turner.
 Ja. Taylor
 Ga. Fielding
 Edward Richardfon
 Peter Marfh
 Wm. Anderton
 B. Tho. Eccleston

Edward Standish
 Tho. Eccleston
 Peter Mofs
 Peter Johnson
 W. J. Formby
 James Glover
 William Befwick
 James Orrel
 John Lancafter
 Tho. Latham
 Tho. Tomlinfon
 Will. Dicconfon
 Richard Johnson
 John Bamber
 Will. Spencer
 Tho. Occleshaw
 Ralph Watt
 Dennis Halliwell
 Rob. Holbrook
 George Annelley
 James Holcroft
 Hugh Bullin
 William Culchet
 William Caldwell
 James Spakeman
 John Fell
 James Harrifon
 Michael Baron
 Joseph Spakeman
 Tho. Holcroft
 Thomas Eccleston
 John Tascar
 James Leigh
 James Millar
 James Rainsforth
 James Rainsforth
 Hugh Howarth
 William Occleshaw
 John Halliwell
 John Scott
 Roger Scott

James Scott
 John Halliwell
 Tho. Bullen
 Ralph Higginson
 John Whalley
 John Barton
 Geo. Turton
 James Turton
 Joseph Draper
 John Draper
 Wm. Culshaw
 Joseph Glover
 John Haughton
 Michael Harvey
 Michael Harvey, jun.
 Wm. Vaughan
 Joseph Walker
 Thomas Langtree
 Tho. Culshaw
 Jno. Culshaw
 Peter Wright
 James Dobson
 Wm. Halfal
 Rob. Bullen
 Tho. Bullen
 Edw. Chadwick
 Tho. Chadwick
 Christ. Crooke
 John Crooke
 James Crooke
 Tho. Gillebrand
 Henry Fazakerley
 Wm. Arrowsmith
 John Asheton Nelson
 Nicholas Blundell
 Hen. Blundell
 Robt. Blundell
 Jno. Blanchard
 Edw. Brettargh
 Rich. Hewett
 Thos. Bannister

Robt. Lovcladay
 Henry Formby
 Thos. Unsworth
 Thos. Unsworth, jun.
 Wm. Unsworth
 William Mofs
 Robt. Mofs
 Roger Leigh
 Jno. Fearon
 Rich. Chaffers
 Hen. Billinge
 Jos. Kaye
 John Kaye
 William Wood
 William Stanley, Bart.
 John Stanley Maffey
 Tho. Stanley Maffey
 John Stanley
 Thos. Huntley
 Wm. Bolton
 John Bolton
 Charles Morin
 Math. Smith
 Thos. Sanderfon
 Wm. Ferrry
 Laurence Whiteley
 James Anderson
 Wm. Hunter
 John Burrell
 Jos. Shippin
 Thos. Bell
 Ralph Younger
 Rich. Younger
 Thos. Moore
 Mich. Pickering
 Henry Mogie
 Ralph Wilfon
 Wm. Topcliff
 Thos. Huntley
 Christ. Kendry
 Ralph Galley

Wm. Geddis
 Geo. Stephenfon
 Edw. Taylor
 Robt. Roberfon
 Wm. Scott
 Geo. Robinfon
 Nic. Moody
 Alex. Hardy
 Robt. Rakestraw
 Thos. Stevenfon
 Jas. Mitchell
 Jas. Mitchell, jun.
 John Mafham
 Sam. Doutay
 Thos. Hind
 James Galley
 George How
 James Macdonald
 John Greame
 George Galley
 Thos. Burton
 Sam. Field
 George Huntley
 Rayney Huntley
 John Galley
 Wm. Campbell
 Robt. Hogden
 Thos. Anderson
 Francis Whitehead
 James Whitehead
 Wm. Whitehead
 Peter Knight
 Rich. Wright
 Wm. Scott
 John Huntley
 Rich. Jackson
 Peter Bunn
 Philip Shaftoe
 Samuel Tinble
 Henry Deborc
 John Mufhann

Nicholas Leadbitter	Wm. Margefon	George Sheldon
E. H. Widdrington Riddell	James Fairclough	Cha. Hen. Sheldon
Ralph Kiddell	Thos. Buller	Rev. John Sharrock
John Potts	Michael Morley	Rev. Christopher Rose
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William Hodfhow	Rich. Walmsley	James Fofs
William Sanderfon	Thos. Breers	Wm. Allan
John Sanderfon	John Moore	William Allan, jun.
Thomas Sanderfon	Rich. Norris	James Shaw
James Gibfon	Nich. Moore	John Blenkinfon
Robert Bullock	Jn. Anderton	Tho. Buckle
Ralph Sanderfon	George Bolton	William Furnace
John Leadbitter, fen.	Jon. Bolton	John Lawes
John Leadbitter, jun.	Jn. Choppen	Tho. Slater
Matthew Leadbitter	Wm. Caldwell	George Winter
Phillip Jefferfon	Henry Bibby	Wm. Stott
Thos. Stokoe	Robt. Fairclough	William Mead
Robert Cooke	Tho. Morfon	John Malam
John Swinburne	Tho. Walker	John Malam, jun.
John Swinburne, jun.	Geo. Wathington	Francis Wharton
Ralph Thickneffe	Peter Greenough	Rich. Carr
Roger Anderton	Francis Lenthall	Simon Smith
John Greenough	Wm. Copple	George Bulmer
Pierce Leatherbarrow	James Hawarden	Thomas Wittingham
Geo. Price	John Woods	John Nicholfon
Thomas Bolton	Tho. Boardman, jun.	Thomas Plowden
Peter Greenough	Peter Boardman	Thomas Wilkinfon
George Rice	Thomas Boardman	George Stothart
Edward Pegge	Geo. Mann	Edward Dobfon
John Greenough, jun.	Tho. Swinburn	Henry Wilfon
John Ward	John Lambert	Luke Ellifon
James Sanderfon	Walter Blount, Bart.	Rev. Ferdinando Afhmall
John Gobin	Edward Blount	John Taylor
William Wright	George Blount	Edward Taylor
James Hargreaves	John Giffard	Thomas Pinkney
Samuel Wright	Tho. Moore	Thomas Pinkney, jun.
Thomas Appleton	Robt. Plunkett	George Worthy
William Morley	John Stapleton	John Forman
William Pofcow	Geo. Cary, jun.	Francis Forman
James Bolton	Edward Sheldon	Charles Humble
John Eccles	Dom. Sheldon	Robert Dunn

Ralph Younger	John Robinfon	John Fielding
William Hunter	John Dresser	Edward Nee
John Stoker	John Johnson	John Hill
Robert Mufhens	Michael Watfon	James Westwood
Cuthbert Mufhens	Leonard Caley	Mathew Fourné
John Mufhens	William Craggs	Thomas Lewis
Richard Emerfon	John Booth	Anthony Forest
George Emerfon	John Richardfon	Edward Millward
Thomas Clark	Thomas Collinfon	Tho. Millward
John Swinburn	Joseph Harrifon	Will. Green
William Hutchinfon	Edmund Chambers	Anth. Clough
William Forfter	Joseph Denton	William Lewin
John Pinkney	Rob. Coupland	Peter Marchant
Rev. Geo. Witham	George Shires	James Day, fen.
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Rev. John Taylor	John Du Viviers	Samuel Jefferys
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John Shutt	Tho. John Eyfton	James Groves
Robert Ball	Rev. George Bruning	John Finozier
George Salvidge	Rev. Robert Anderton	John Nail
Joseph Salvidge	Bryant Barrett	Wm. Hodgkinfon
John Bird	William Davey	Cha. Sheridan
John Raines	Rev. Joseph Syers	Tho. Mantle
James Bird	Bafil Eyfton	Will. Keen
George Caley	Rev. John Nutt	John Purfalle
John Caley	John Johnson	Cha. Lowe
John Caley	Joseph Palmer	James Ilfley
Thomas Caley	John Pendrill	John Jefferys
Chrif. Chap. Bird	John Parke	Michael Kenedy
John Taylor	Thomas Silke	Wm. Haskew
William Williamfon	John Palmer	John Richards
George Harrifon	James Baker	Charles Hodgetts
Thomas Wilfon	John Downer	John Moreton Ledfam
Thomas Champney	John Spurrier	Jof. Parrott
Leonard Robinfon	John Spicer	Richard Bromfield
Thomas Owft	Ja. Hardman	James Bromfield
David Wright	John Hardman	Sam. Bratt
John Wright	Wm. Clarkfon	Will. Holmes

Tho,

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 Jno. Powell
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 Rt. Rev. Thomas Talbot
 Rev. Anthony Clough
 Rev. Edward Eyre
 Matthew Ellifon
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 John Howell
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 Lawrence Brown
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 Jas. Peard
 Sam. Jones
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 Rich. Savage
 Tho. Moore
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 George Richards
 Peter Richards
 John Barney
 Charles Lane
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 Tho. Green
 Fran. Green
 Tho. Simkifs
 Rev. Tho. Southworth

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 Jos. Harbut
 Wm. Hayes
 Donald Mac Donald
 G. Sanderfon
 Charles Afhton
 Thomas Sanders
 Joseph Williams
 Mich. Lewis
 Henry Fermor
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 Jas. Beezley
 Jno. Powell Lorymer
 Tho. Wm. Lutwych
 Tho. Rayment
 Tho. Bowyer
 John Rayment
 Joseph Prefton
 Jam. Bowyer
 James Smith
 Jam. Powell
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 J. Hawkes Sanders
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 Jos. Gibbins
 Ignatius Hand
 William Thompfon
 Thomas Phillipfon
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 Rob. Berkeley, jun.
 And. Robinfon
 William Afton
 Rob. Stanford
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 Jno. Gardner
 John Reeve
 John Chatterly
 Thomas George
 Edward Wilks

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 Rev. James Tasker
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 Bafil Fitzherbert
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 John Harris
 John Morgan, jun.
 John Morgan
 John Chefton
 Rich. Morgan
 Edw. Morgan
 Jos. Clarke
 Rob. Harris
 Rich. Harris
 Jos. Allwood
 John Stephens
 John Wheeler
 Abel Morrel
 Abel Morrel, jun.
 James Hall
 Tho. Lea
 Rev. Joseph Berington
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 Tho. Berington
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 Hugh Smythe
 Rev. Charles Blount
 John Grafton
 Joseph Weetman
 Joseph Lea
 Clement George
 Will. Layton
 Will. Harris
 Will. Chaire
 Tho. Davis
 Jof. Currier
 Will. Layton, jun.
 P. Holford
 Cæsar Johnfon
 William Sutton
 Jno. Knight
 Wm. Knight
 Rev. George Baudouin
 Joseph Long
 Richard Cave
 James Hanne
 Richard Couche
 Rev. Joseph Strickland
 Michael Blount, of Mapledurham
 James Everard Arundell
 James Arundell
 Raymond Arundell
 Henry Hunloke, Bart.
 Windsor Hunloke
 Robert Hunloke
 James Hunloke
 John Bowdon
 James Bowdon
 Rev. Rich. Turner
 Rev. Jof. Johnfon

Rev. Mr. Crofs
 Rev. Mr. Poole
 Rev. Mr. Shuttleworth
 Rev. Mr. Martin
 Rev. Mr. Southworth
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 Rev. John Baynham
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 Jacob Stoker
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 Jas. Mackrell
 Edw. Rofs
 Rich. Smith
 Rich. Parker
 Jno. Hughes
 Chr. Parker
 Jas. Williams
 Benj. Efner
 Edw. Cary
 Wm. Culcheht
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 James Archer
 John Rand
 Richard Freeman
 John Parker
 Joseph Rofs
 Wm. Couche
 William Hull
 Julian Moiffon
 John Fiſher
 John Morris

John Eldridge
 Richard Peach
 W. Weaving
 Henry Peach
 Rev. Philip Wyndham
 John Winter
 James Lahy
 Charles Ibbetſon
 Charles Lane
 John Poynter
 James Danby
 Richard Stacy
 William Connor
 James Bennet
 John King
 James Winter
 Ant. Morris
 Joseph Heger
 Ant. Baert
 Peter Rich. Lahy
 John Ibbetſon
 John Lane
 Michael Drifcol
 Jof. Gregſon
 Cha. Wardell
 Henry Pattrick
 Anthony Refoy
 Charles Connor
 Joseph Still
 Robert Batt
 George Winter
 Henry Innes, Prieſt, charged
 with the Care of the Catholic
 Congregation at Aſlington
 Phil. Compton
 Richard Pile
 John Snow
 The Mark † of Bartholomew
 Fogwell
 William O'Brien
 Edward Gill

John Woon
 Jno. Benfon
 Francis Dennis
 William Gill
 John Sparks
 John Grimshaw
 Edw. Cary
 Rev. Char. Timings
 John Chester
 Robert Rowe
 Andrew Kelly
 John O'Donnoghue
 John Huffey
 Rev. John Smyth
 C. Bodenham
 Wm. Horne
 H. Haddon
 John Berington
 Chas. Berington
 Edw. Ferrers, jun.
 Thos. Tancred
 Thos Berington
 John Prince
 Peregrine Prince
 Thos. Biddulph
 L. H. J. Haloran
 Ambrose Ferrall
 John Flood
 John Tattershall
 John Trefcott
 Jam. Lynn
 James Herbert
 Wm. Smith
 James Brooke
 John Marsland
 John Devereux
 William Cornelius
 Walter Roney
 Daniel Neale
 John Sullivan
 James Stenfon

James Lupton
 Thomas Bourke
 James Byrn
 Thomas Edwards
 Jas. Malone
 Tobias Conway
 Wm. Holt
 Mark Love
 Thomas White
 Pat. Maxwell
 John Young
 John Collins
 Francis Connor
 Geo. Morgan
 John Neper
 John Duff
 Jno. Moran
 William Ring
 Jno. Marsh
 Henry Daniell
 W. Weeks, sen.
 W, Weeks, jun.
 Jno. Weeks
 Jno. Lavenu
 James Wilmot
 Wm. Frampton
 Thos. Peniston
 Jno. Vandenhoff
 William Argile
 James Baltch
 John Haylock
 Edw. Joy
 Wm. Blount
 John Clark
 Sir Thomas Gage
 Thos. Gage, Esq.
 Charles Kenyon
 John Gage
 Charles Thompson
 Edward Pugh
 James Hunt

James Felton
 James Beeton
 William Goodrich
 James Plummer
 Thomas Jellet
 Jno. Perry
 Rev. Charles Needham
 Rev. Joseph Reeve
 Rev. John Halford
 Francis Webber
 Edward Koffiter
 Richard Shimell
 John Weston
 Wm. Culcheth
 John Bennett
 Jas. Knight
 John Shimell
 William Shimell
 John Lovelace
 Thos. Pyke
 Lawrence Weston
 Luckin Richard
 George Babidge
 M. Listan
 John Huffey
 Rev. J. Smith
 James Weetman
 Ralph Moody
 Charles Weetman
 Francis Weetman
 W. Vaughan
 Charles Bosvile
 James Jones
 William Kingston
 Tho. Embry
 John Powell Lorymer
 William Williams
 Peter James
 Jno. S. Woollett
 George Morgan
 George Knight

Edward Morgan
 George Wyrhall
 J. Wyrhall
 Tho. Croft
 John Lambert
 John Jones
 Rob. Jones
 Michael Watkins
 W. Prichard
 W. Prichard, jun.
 Tho. Hobbes, M. D.
 James Roberts
 Rich. Lee
 A. Pendrill
 William Hall
 Thomas Proffer
 John Proffer
 Thomas Kemble
 Tim. Newman
 Wm. Roberts
 Richard Davies
 Ma. Jones
 Thomas Mullowny
 John Andrus, senior
 Jno. Andrus, junior
 William Adams
 Samuel Cox, senior
 Samuel Cox, jun.
 John Bosvile
 James Cochlen
 Walter Watkins
 Wm. Gerard
 John Williams
 Tho. Langdale
 Tho. Langdale, jun.
 Wm. Tunstall
 Wm. Sheldon
 William Witham
 John Wright, jun.
 Robert Throckmorton, Bart.
 Rev. John Orme

George Halfey
 John Croucher, sen.
 Wm. Stubbington
 Fran. Higinson
 Christ. Croucher
 Benj. Ellis
 Francis Croucher
 John Croucher, jun.
 Wm. Damer
 John Montier
 Henry Tichborne, Bart.
 Rev. Charles Peters
 Thomas Basset
 Jos. Freeman
 Jas. Stubbington
 Thomas Bulbeck.
 Jno. Fisher
 Henry Moody
 John Savage
 Thomas Tilbury
 Thomas Nowell
 John Ibitson
 Richard Maudesley
 Thomas Banes
 Tho. Banes, jun.
 James Midshall
 Thomas Blackburn
 Richard Hutherlal
 James Bruerton
 George Ibitson
 George Corbifhley
 George Swarfbiek
 William Cottam
 John Swarfbiek
 Rob. Snape
 George Bolton
 Thomas Gardner
 Thomas Ethrington
 Rob. Bland
 John Richardson
 Robert Ibitson

James Walker
 James Whitehead
 John Gardner
 Edward Blackburn
 James Sympson
 John Critchley
 John Banes
 John Gardner, jun.
 Michael Gardner
 Richard Fitzwilliams
 John Sympson
 Nicholas Gardner
 Thomas Finch
 Thomas Duckett
 John Hutherfal
 John Whittinam
 James Eckles
 Tho. Wilfon
 James Duckett
 James Smith
 Robert Hutherfal
 Wm. Rubottom
 Tho. Walmfley
 James Clarkfon
 Richard Dunderdale
 Richard Suthard
 James Mercer
 John Wilcock
 Robert Gardner
 George Eckles
 Richard H. Lacy
 James Biddlecombe, sen.
 Martin Biddlecombe, jun.
 John Greenwell
 George Corbifhley, jun.
 Robert Haithornwhite
 Tho. Dobson
 Henry Kitchin
 Edward Peg
 Thomas Pyke
 Henry Abbott

William Pierpoint
 Richard Fletcher
 Wm. Shackelford
 John Reaves
 Richard Collier
 Thomas Poynter
 Francis Ford
 Henry Budd
 Charles Fletcher
 Thomas Heath
 John Dalton
 Hugh Byrne
 James Scott
 Francis Clare
 John Plunkett
 J. H. Miller
 J. Kirwan
 Edw. Crean
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 Rich. Beſley, ſen.
 Rich. Beſley, jun.
 Jas. Ingo
 William Jerningham, Bart.
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 Thomas Kiernan
 John Bradshaw
 James Bradshaw
 Henry Witham
 Geo. Bryan
 J. P. Coghlan
 William Bullock
 Patrick Keating
 Samuel Waterhouſe
 John Frankland
 Hugh Croke
 John Prujean
 William Cruife
 Law. Nihell, M. D.
 Thoſ. Savage, M. D.
 Philip Howard, of Corby
 Rich. Arkwright

Will. Kighley
 Tho. Gornall
 Chriſ. Butler
 Rich. Leach
 Will. Willcock
 Wm. Loxham
 Tho. Walker
 Jas. Walker
 Tho. Moore
 Rich. Cayton
 Tho. Robinſon
 Tho. Hodſkinſon
 Jas. Hall
 Tho. Barrow
 Jas. Barton
 Rich. Carter
 Jas. Danſon
 Wm. Gregſon
 Jas. Gradwell
 Evan Wearden
 Rich. Parker
 John Martin
 Henry Brindle
 Giles Craven
 W. Brindle
 Pet. Holiday
 Jas. Singleton
 Jas. Poſtlewhite
 Jno. Billington
 Tho. Smithies
 Adam Helum
 Jno. Valentine, jun.
 Wm. Gorton
 Chriſ. Goodear
 Rob. Garſtang
 Jno. Hartley
 Jno. Slack
 Jno. Gorton
 W. Hartley
 Geo. Wearden
 Pet. Baldwin

Jno. Whittle
 Jno. Crooke
 Jno. Woodacre
 Tho. Banks
 Wm. Tootale
 Jas. Bolton
 Jno. Bolton
 Jno. Gerard
 Wm. Brown
 W. Cook
 Ed. Banks
 Jno. Middlehurſt
 Jno. Bury
 Tho. High
 Geo. Parkinſon
 Jno. Blacow
 W. Brown
 Alex. Gregſon
 Jno. Smith
 Jno. Gregſon
 Jno. Walton
 Jas. Talbott
 T. Edſforth
 Jas. Chew
 Hen. Clarkſon
 Jas. Crook
 T. Burgeſs
 Jas. Pilkington
 Pet. Newby
 Robt. Hubberſtey
 Jno. Dickinſon
 Jas. Dickinſon
 Rich. Cooper
 Ro. Brindle
 W. Brindle
 W. Smith
 Jas. Proctor
 Edw. Brown
 Jno. Felton
 Jno. Hubberſtey
 Rd. Swarbrick

Jno. Swarbrick
 Jas. Norris
 Hen. Kenyon
 Rog. Howarth
 W. Pennington
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 Jos. Taberner
 T. Grimbaldeston
 Jas. Brand
 W. Latus
 W. Lund
 Fran. Wells
 La. Turner
 Rd. Johnson
 T. Wilkinfon
 Jno. Wilkinfon
 Robt. Parkinfon
 W. Adamfon
 Jas. Heatley
 Jno. Dickinson, jun.
 Jas. Valentine
 R. Cooper
 Ra. Brindle
 Jno. Smith
 Rog. Fishwick
 W. Worley
 Jno. Sharrock
 Th. Burn
 Jas. Hubberstey
 Rd. Almond
 Hen. Pope
 Edw. Threlfall
 Rd. Threlfall
 Rt. Adamfon
 T. Adamfon
 W. Sharples
 Jno. Horn
 Jno. Walker
 Jno. Kay
 Jno. Banks
 Rt. Hubberstey

Pet. Walton
 Hen. Tomlinfon
 Jno. Chew
 T. Charnley
 T. Woodacre
 J. Gradwell
 Mat. Brindle
 Jno. Billington
 T. Billington
 W. Rigby
 W. Shepherd
 Seth Eccles
 W. Wilson
 Jno. Osbaldeston
 Alex. Osbaldeston
 Jno. Turner
 Geo. Turner
 Jno. Crookall
 Thos. Brown
 R. Lacabanne
 T. Miller
 N. Rigby
 Jno. Billington
 W. Barton
 Jas. Southworth
 Jas. Wilcock
 Jno. Arrowfinith
 Jas. Sitgreaves
 Jno. Midghall
 Ra. Ratcliffe
 J. Crook
 T. Snape
 Jas. Rigby
 Ed. Blackburne
 Jas. Mercer
 Jno. Chew
 Rt. Killshaw
 Jno. Fairbrother
 Jno. Ashton
 Jas. Hubberstey
 Hen. Miller

Edw. Walmfley
 Jas. Parkinfon
 T. Slater
 W. Cotham
 Jas. Parke
 Jas. Turner
 T. Burfcow
 W. Roper, jun.
 P. Rushton
 Jas. Turner
 Jno. Lomax
 W. Bennett
 Ra. Swarbrick
 W. Catterall
 Jno. Turner
 W. Catterall, jun.
 Jno. Walker
 Jno. Holderneffe
 Rd. Melling
 Thos. Smith
 Cuth. Kirk
 Jno. Kirkham
 Jno. Jamefon
 T. Holderneffe
 T. Holderneffe, jun.
 W. Roper
 Rob. Roper
 Jas. Roper
 T. Critchley
 W. Parkinfon
 J. Diggles
 W. Diggles
 Rob. Hummer
 Jno. Clarkfon
 Geo. Clarkfon
 Geo. Rogerfon
 D. Rogerfon
 W. Bamber
 T. Bamber
 Ra. Bamber
 Ed. Bamber

Jno. Hoghton
 Hen. Wearden
 Jno. Wearden
 Th. Wearden
 W. Wearden
 P. Wearden
 P. Wearden, jun.
 Jno. Billington
 Jno. Billington, jun.
 Ra. Walmesley
 Jno. Carroll
 Jas. Carroll
 Wm. Carroll
 Geo. Hetherfall
 Jno. Rigby
 Ra. Rainford
 W. Appleton
 Rd. Singleton
 Jas. Blackburn
 Rd. Willcock
 Jno. Grimbaldeston
 W. Brindle
 Ig. Walmesley
 Ra. Fidler
 P. Fidler
 W. Livfey
 Robt. Livfey
 L. Pemberton
 Jno. Crookall
 Evan Brindle
 Wm. Brindle
 Law. Johnson
 Jno. Gregson
 Jas. Brindle
 W. Slater
 W. Dickinson
 John Silvertop

M. Hoghton
 Rev. Mr. Cuerden
 Rev. Mr. Mansell
 Rev. Edward Beaumont, Clericus
 Tho. Suffield
 Rob. Suffield
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 John Pitchford, jun.
 Thomas Bokenham
 John Barwell
 Tho. Havers
 Thomas Havers, jun.
 Jere. Norris
 J. Gobbet
 Henry Dobson
 F. Gofling, jun.
 Spinks Chapman
 James Moore
 James Moore, jun.
 Fra. Jas. Rivett
 John Riseborough, sen.
 John Riseborough, jun.
 Jno. Brown
 Wm. Chaplin
 Geo. Carr
 Francis Barth
 Edward Miles
 Edward Morton
 Henry Knights
 P. Knights
 Thomas Deday
 Thomas Deday, jun.
 Rich. Dinmore
 Rev. Jas. Lane, Clericus
 Rev. Geo. Chamberlayne, Clericus

Fra. Hutton
 Fra. Hutton, jun.
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 Jas. Barnes
 Wm. Meader
 John Moody
 John Moody, jun.
 John Greenwood
 Thomas Vinn
 Wm. Cave
 Joseph Charker
 William Jones
 Charles Mahany
 John Doran
 Charles Moody
 John Linguard
 Joseph Cox
 John Gilbert
 James Cox
 Thomas Akers
 Thomas Baldwin
 Inigo Jones
 William Brewer
 John Clapcott
 Samuel Stubbington
 Wm. Morley
 James Charker
 Rev. Jno. Milner
 John Hyde
 Samuel Taunton
 Rev. Dr. John Lonfdale
 Lewis Wallet
 Rev. Christopher Taylor, Cler.
 Thomas Bower
 Michael Little
 John Prujean, jun.

No. IV.

To the Honorable the COMMONS of GREAT
BRITAIN in PARLIAMENT assembled.

The humble PETITION of the Persons whose Names are hereunto
subscribed, on Behalf of themselves and others, CATHOLIC
DISSENTERS of ENGLAND.

S H E W E T H,

THAT Sentiments unfavorable to your Petitioners as Citizens and Subjects have been entertained by English Protestants, and that your Petitioners are subject to various penal Laws on account of Principles which are asserted to be maintained by your Petitioners and other Persons of their Religion, and which Principles are dangerous to Society, and totally repugnant to Political and Civil Liberty.

That your Petitioners think it a Duty which they owe to their Country as well as to themselves to protest in a formal and solemn Manner against Doctrines that they condemn, and that constitute no Part whatever of their Principles, Religion, or Belief.

That your Petitioners are the more anxious to free themselves from such Imputations, because divers Protestants, who profess themselves to be real Friends to Liberty of Conscience, have nevertheless avowed themselves hostile to your Petitioners, on account of the Opinions which your Petitioners are supposed to hold; and your Petitioners do not blame those Protestants for their Hostility, if it proceeds (as your Petitioners hope it does) not from an intolerant Spirit in Matters of Religion, but from their being misinformed as to Matters of Fact.

That your Petitioners acknowledge that they should merit the Reproach of being dangerous Enemies to the State, if it were true that they had adopted the Maxims that are erroneously imputed to them; but your Petitioners detest those unchristian-like and execrable Maxims: And your Petitioners severally claim (in common with Men of all other Religions) as a Matter of Natural Justice, that your Petitioners ought not to suffer for or on Account of any wicked or erroneous Doctrines, that may have been holden or that may be held by any foreign Roman Catholics, which Doctrines your Petitioners publicly disclaim, any more than any of the British Protestants ought to be rendered responsible for any dangerous Doctrines that may be held by any foreign Protestants, which Doctrines they the said British Protestants disavow.

1st, That

1st, That your Petitioners have been accused of holding as a Principle of their Religion, That Princes excommunicated by the Pope and Council, or by Authority of the Sec of Rome, may be deposed or murdered by their Subjects or other Persons:—But so far is the above-mentioned unchristian-like and abominable Position from being a Principle that your Petitioners hold, that they reject, abhor, and detest it, and every Part thereof, as execrable and impious.—And your Petitioners do solemnly declare, That neither the Pope, either with or without a General Council, nor any Prelate, nor any Priest, nor any Assembly of Prelates or Priests, nor any Ecclesiastical Power whatever, can absolve the Subjects of this Realm, or any of them from their Allegiance to his Majesty King George the Third, who is, by Authority of the Legislature, the lawful King of this Realm, and of all the Dominions thereunto belonging.

2^{dly}, That your Petitioners have also been accused of holding as a Principle of their Religion, That implicit Obedience is due from them to the Orders and Decrees of Popes and General Councils; and that, therefore, if the Pope, or any General Council, should, for the Good of the Church, command your Petitioners to take up Arms against Government, or by any Means to subvert the Laws and Liberties of this Country, or to exterminate Persons of a different Religion from your Petitioners, the Accusers of your Petitioners assert that your Petitioners hold themselves “bound to obey such Orders or Decrees on Pain of eternal Fire;”—whereas your Petitioners positively deny that they owe any such Obedience to the Pope and General Council, or to either of them: And your Petitioners believe that no Act that is in itself immoral or dishonest can ever be justified by or under Colour that it is done either for the Good of the Church or in Obedience to any Ecclesiastical Power whatever.—Your Petitioners acknowledge no Infallibility in the Pope; and they neither apprehend nor believe that their Disobedience to any such Orders or Decrees (should any such be given or made) could subject your Petitioners to any Punishment whatsoever.—That your Petitioners do solemnly declare, That no Church, nor any Prelate, nor any Priest, nor any Assembly of Prelates or Priests, nor any Ecclesiastical Power whatever, hath, have, or ought to have any Jurisdiction or Authority whatsoever within this Realm, that can, directly or indirectly, affect or interfere with the Independence, Sovereignty, Laws, Constitution or Government thereof, or the Rights, Liberties, Persons or Properties of the People of the said Realm, or of any of them, save only and except by the Authority of Parliament; and that any such Assumption of Power would be an Usurpation.

3^{dly}, That your Petitioners have likewise been accused of holding as a Principle of their Religion, That the Pope, by virtue of his Spiritual Power, can dispense with the Obligations of any Compact or Oath taken or entered into by any Person of the Religion of your Petitioners; that, therefore, no Oath of Allegiance, or other Oath, can bind your Petitioners, and consequently that your Petitioners can give no Security for their Allegiance to any Government.—That your Petitioners admit that this Conclusion would be just, if the original Proposition upon which it is founded were true; but your Petitioners positively deny that they hold any such Principle: And they do solemnly declare, That neither the Pope, nor any Prelate, nor any Priest, nor any Assembly or Prelates or Priests, nor any Ecclesiastical Power whatever, can absolve your Petitioners or any of them from, or can previously or subsequently dispense with the Obligations of any Compact or Oath whatsoever.

4^{thly},

4thly, That your Petitioners have also been accused of holding as a Principle of their Religion, That not only the Pope, but even a Priest, has Power, at his Will and Pleasure, to pardon the Sins of Persons of the Religion of your Petitioners; and therefore that no Person of the Religion of your Petitioners can possibly give any Security for his Allegiance to any Government, inasmuch as the Pope, or a Priest can pardon Perjury, Rebellion, and High Treason.—That your Petitioners acknowledge also the justness of this Conclusion, if the Proposition upon which it is founded were not totally false; but your Petitioners do solemnly declare, That on the contrary, they believe that no Sin whatever can be forgiven at the Will of any Pope, or of any Priest, or of any Person whomsoever; but that a sincere Sorrow for past Sin, a firm Resolution to avoid future Guilt, and every possible Atonement to God and the injured Neighbour are the previous and indispensable Requisites to establish a well-founded Expectation of Forgiveness.

5thly, That your Petitioners have also been accused of holding as a Principle of their Religion, That “Faith is not to be kept with Heretics;” so that no Government which does not profess the same Religion as your Petitioners can have any Security from your Petitioners for their Allegiance and peaceable Behaviour.—That your Petitioners reject, reprobate, and abhor the Doctrine, that “Faith is not to be kept with Heretics,” as being contrary to Religion, Morality, and common Honesty:—And your Petitioners do hold and solemnly declare, that no Breach of Faith with, or Injury to, or Hostility against any Person whomsoever, can ever be justified by Reason of, or under Pretence that such Person is an Heretic or an Infidel.

That your Petitioners further solemnly declare, That they do make this Declaration and Protestation, and every Part thereof, in the plain and ordinary Sense of the Words of the same, without any Evasion, Equivocation, or Mental Reservation whatsoever:—And, that your Petitioners humbly conceive that your Petitioners who thus solemnly disclaim, and from their Hearts abhor the above-mentioned abominable and unchristian-like Principles, ought not to be put upon a Level with any other Men who may hold and profess those Principles.

Your Petitioners therefore humbly pray that this Honorable House will be pleased to grant such Relief to your Petitioners as this Honorable House in it's Wisdom shall deem to be just.

No. V.

T H E
C A S E

O F T H E

ENGLISH CATHOLIC DISSENTERS.

THE LAWS IN FORCE AGAINST THE ENGLISH CATHOLIC DISSENTERS may be ranged under FOUR Heads.

I. Those which subject them to Penalties and Punishments for EXERCISING THEIR RELIGIOUS WORSHIP; under which Head may be ranked the Laws respecting their Places of Education, and the Ministers of their Church.

By these Laws, if any Catholic Dissenting Priest, born in the Dominions of the Crown of England, come to England from beyond the Seas, or tarry in England three Days, without conforming to the Church, he is guilty of High Treason: Those also incur the Guilt of High Treason who are reconciled to the See of Rome, or procure others to be reconciled to it.

27. Eliz. c. 2.

3. Jac. 1. c. 4.

For the last Offence, a Catholic Dissenting Clergyman was tried in 1786, One Witness only being produced against him, he was acquitted upon the Statute of the seventh Year of King William, by which two Witnesses are required to convict a Man of High Treason.

23. Eliz. c. 1.

3. Jac. 1. c. 4.

3. Jac. 1. c. 5.

3. Car. II. c. 2.

23. Eliz. c. 1.

3. Jac. 1. c. 5.

By these Laws also, the English Catholic Dissenters are totally disabled from giving their Children any Education in their own Religion. If they educate their Children *at home*,—then, for maintaining the School-Master, if he do not repair to Church, or be not allowed by the Bishop of the Diocese, they are liable to Forfeit Ten Pounds a Month; and the School-Master is liable to forfeit Forty Shillings a Day.—Then, if they send them for Education to any School of their Persuasion *abroad*, they are liable to forfeit One Hundred Pounds, and the Children so sent are disabled from inheriting, purchasing, and enjoying any Lands, Profits, Goods, Debts, Duties, Legacies, or Sums of Money. Saying Mass is punishable by a Forfeiture of Two Hundred Marks: Hearing it by a Forfeiture of One Hundred Marks.

For

For the Offences of celebrating Mass, several Catholic Dissenting Priests, now living, have been prosecuted. In 1770, the Hon. James Talbot, the Brother of the late Earl of Shrewsbury, was tried at the Old Bailey Sessions for exercising the Functions of a Romish Priest, and acquitted for Want of Evidence. At the Summer Assizes for the County of Surrey, in 1767, Mr. Malony was tried and found guilty of administering the Sacrament of Our Lord's Supper, according to the Rites of the See of Rome. He remained in Prison for some Years, and was afterwards pardoned on Condition of perpetual Banishment.

II. Under the second Head are those Laws which punish the English Catholic Dissenters for not conforming to the Established Church:—These are generally called THE STATUTES OF RECUSANCY.

It should be observed, that Absence from Church, alone, and unaccompanied by any other Act, constitutes Recusancy.

Till the Statute of 35th Eliz. Chap. 2. all Dissenters were considered as Recusants, and were all equally subject to the Penalties of Recusancy: That Statute was the first Penal Statute made against Popish Recusants by that Name, and as distinguished from other Recusants. From that Statute arose the Distinction between Protestant Dissenters and English Catholic Dissenters;—or, as they are called in the Law, Recusants. The former were subject to such Statutes of Recusancy as preceded that of the 35th of Queen Elizabeth, and to some Statutes against Recusancy made subsequently to that Time; but they were relieved from them all by the Act of Toleration in the first Year of King William's Reign.

By the Statutes against Popish Recusants Convict, they are punishable by the Censures of the Church, and by a Fine of Twenty Pounds for every Month during which they absent themselves from Church; they are disabled from holding Offices or Employments; from keeping Arms in their Houses; from maintaining Actions or Suits at Law or in Equity; from being Executors or Guardians; from presenting to Advowsons; from practising the Law or Physic; and from holding Offices Civil or Military. They are subject to the Penalties attending Excommunication; are not permitted to travel Five Miles from Home, unless by Licence, upon Pain of forfeiting all their Goods; and may not come to Court under Pain of One Hundred Pounds. A married Woman, when convicted of Recusancy, is liable to forfeit Two-Thirds of her Dower or Jointure. She cannot be Executrix or Administratrix to her Husband; nor have any Part of his Goods; and, during her Marriage, she may be kept in Prison, unless her Husband redeems her, at the Rate of Ten Pounds a Month, or the Third Part of his Lands.—Popish Recusants Convict must, within Three Months after Conviction, either submit and renounce their religious Opinions, or, if required by four Justices, must abjure the Realm; and if they do not depart, or if they return without Licence, they are guilty of Felony, and suffer Death as Felons.

1. Eliz. c. 2.
23. Eliz. c. 1.
35. Eliz. c. 2.
3. Jac. I. c. 4.
7. Jac. I. c. 6.
7. & 8. W. c. 17.
1. G. 1. c. 13.

It materially increases the Oppression and Severity of these Laws, that any Justice of the Peace may convict a Dissenting Catholic of Recusancy, by a *very summary Process*, without any previous Information or Complaint against him.

In the Year 1782, two very poor Catholic Dissenting Labourers and their Wives were summoned by one of his Majesty's Justices of the Peace, and fined One Shilling each, for not repairing to Church; and the

the Constable raised it by distraining in the House of one of them an Oak Table, a Fir Table, and a Plate Shelf; in the House of the other, a Shelf, and two Dozen of Delft Plates, one Pewter Dish, with four Pewter Plates, one Oak Table, and one Arm-Chair. The Sale was publicly called at the Market-Day, and the Goods were sold by Auction at their respective Houses. The Constable's Bill was in these Words:

To not attending Church	—	—	0	2	0
To a Warrant	—	—	0	1	0
To Constable's Expences	—	—	0	2	0
			0	5	0

III. The Laws which subject them to Penalties for NOT TAKING THE OATH OF SUPREMACY, AND THE DECLARATION AGAINST POPERY.

1st, With respect to the *Oath of Supremacy*, the Statutes of the first of King William and Queen Mary, and the first of George I. contain an Oath by which Persons are made to swear, that "No foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have, any Jurisdiction, Power, Supremacy, Pre-eminence or Authority, Ecclesiastical or Spiritual within this Realm." It is *required* to be taken by the Persons therein named, and it may be *tendered* to any Person by any two Justices of the Peace.

The English Catholic Dissenters object to take this Oath, because, like every other Church in Communion with the See of Rome, they acknowledge the Spiritual Primacy of the Pope. But they do not acknowledge in him any Right, Power, or Pre-eminence, either temporal, ecclesiastical, or spiritual, within this Realm, that can, directly or indirectly, affect or interfere with the Rights, the Person, or the Property of the King, or the Rights, Persons, or Properties of any of his Subjects.

By refusing to take the Oath of Supremacy, when tendered to them, they become liable to all the above-mentioned Penalties of Recusancy: They are restrained from practising the Law as Advocates, Barristers, Solicitors, Attornies, Notaries, or Proctors: They are restrained from voting at Elections, and consequently are unrepresented in Parliament.

2dly, With respect to the *Declaration against Popery*, an Act passed in the 30th Year of King Charles II. contains a Declaration to be made by the Members of either House of Parliament before they take their Seats. By this they declare their Disbelief of the Doctrine of Transubstantiation, and their Belief that the Invocation of the Saints and the Sacrifice of the Mass are idolatrous.

This Declaration the English Catholic Dissenters cannot make, as the Doctrines to which it refers are among the Articles of their religious Credence.—But whatever may be their Sentiments on the Sacrament of our Lord's Supper, on the most proper Mode of publicly worshipping the Deity, or the Nature of the Intercourse between the Living and the Dead, they beg Leave to observe, that all these Doctrines are in themselves harmless and inoffensive; and that as they *cannot* disable those who hold them from performing any of the Duties, they *ought* not to deprive them of participating in any of the Rights of English Subjects. Yet for their particular Opinions upon these Doctrines, the English Catholic Dissenters are disqualified

r. W & M.
t. G. 1.

7. & 3. W. 3.
c. 24.
1. G. 1 c. 2.
7. & 8 20.
c. 22, 27.

30. Car. II.

disqualified from being chosen Members of the House of Commons, and their Peers are deprived of their hereditary Seats in Parliament.

II. The Laws affecting their LANDED PROPERTY.

How this is affected by the Laws against Recusancy, has been already mentioned.—Besides which, the English Catholic Dissenters are disabled, by other Laws, from presenting to Advowsons, and all other Ecclesiastical Benefices, and to Hospitals and other charitable Establishments, though founded by their own Ancestors.—They are subjected by annual Acts of the Legislature to the vexatious and ignominious Burthen of the double Land-Tax; and they are obliged, on every Occasion, to disclose the secret Transactions of their Families, by reason of the expensive Obligations imposed on them of enrolling their Deeds and Wills.

1 W. & M. c.
26.
12 Ann. c. 14.
11 G. II. c. 17.

1 G. 1. c. 55.
3 G. 1. c. 19.
continued by
several subsequent
Statutes.

These are the principal Laws against the English Catholic Dissenters. To the TEST ACT, and to every other Penalty to which other Dissenters are subject,—the Catholic Dissenters are equally liable.

25 Car. II.

There have been recent Instances of Prosecutions against them upon these Laws. But to give them Effect, no *actual Prosecution* is necessary. In many Cases, *without the Formality of an Action*, and in some, *without even the Intervention of an Informer*, by an Operation unobserved by the Community at large, but severely felt by the Victims of it, these Laws CONTINUALLY FORCE THEMSELVES INTO EXECUTION,—and, in an Age of Science and Philosophy, in a Land of Freedom and Happiness, and in the midst of Universal Toleration, deprive the English Catholic Dissenters of many of the Rights of English Subjects, and the common Rights of Mankind;—invite public Prejudice and Defamation upon them;—cramp their Industry;—abridge them in the Means of providing for their Families;—drive them Abroad for Education;—obtrude them on Foreigners for Subsistence;—and make them, as it were, ALIENS IN THEIR OWN NATIVE COUNTRY.

The Act passed for their Relief in the 18th Year of his present Majesty, was a Repeal of one particular Law, which greatly obstructed them in the Enjoyment of their Landed Property, and was otherwise very oppressive on them; but it was not a Repeal of *any one* of the Laws above specified.

No. VI.

S T A T E O F T H E L A W S

R E S P E C T I N G

P R E S E N T A T I O N S B Y R O M A N C A T H O L I C S

T O

E C C L E S I A S T I C A L B E N E F I C E S .

BY the 3. James I. c. 5. *POPISH RECUSANTS* are made excommunicate. From that Circumstance alone, their Presentations, however good against Strangers, are void as to the Bishop; he may refuse the Presentee, and take Benefit of the Lapse. But independently of that, they are by this Act expressly disabled from presenting to Benefices with or without Cure of Souls, to Free Schools, Hospitals, or Donatives; and their Right of Presentation is given to the Universities. Upon this Act, therefore, when a Papist presents, the Universities may proceed to convict him of Recusancy, and then present in his Right. If the Universities do not proceed in this Manner, the Bishop of the Diocese may, and thereby make the Papist excommunicate: he is then intitled to refuse the Presentee of the Papist, and may himself present on the Lapse.

THE Statute of 1. William III. c. 26. makes the Refusal of the Declaration against Transubstantiation, and a Certificate and Record of such Refusal made at the Quarter-Sessions, equal to a Conviction of Recusancy: the Person so recorded is by that Act as much disabled as if he were a Popish Recusant convicted by Law.

THE Statute of the 12. of Anne extends the former Disabilities to all Persons making Profession of the Popish Religion; and all Persons intrusted directly or indirectly for any Papist are disabled in like Manner.

If any Presentation be made by a Person whom the Bishop suspects to be a Papist, or a Trustee for a Papist, the Ordinary may administer to the Person presenting the Declaration against Transubstantiation, and upon his Refusal to make and subscribe it, the Ordinary is to certify it, and the Universities may thereupon present

present. For the better Discovery of any secret Trusts, the Ordinary may examine the Person presented upon Oath, whether the Person presenting be a Papist, or a Person entrusted by a Papist; and the Universities may file their Bill in Equity against the Person presenting, his Presentee, and any other Person they may think proper, to discover any secret Trust respecting the Livings. When the Trust is discovered, they may tender the Declaration against Popery to him; and if he refuse it, he is to be esteemed a Popish Recusant convict; upon which the Universities may present.

By the 11. George II. c. 17. every Grant made of an Advowson by any Papist or person professing the Popish Religion, is void, unless made to a Protestant for the Benefit of himself or some other Protestant, and for a full Consideration.

By these Acts, that Description of Persons, whom the Law styles Papists, are utterly disabled from presenting to the Livings upon their Estates, and to every other Ecclesiastical Benefice belonging to them. The Process which thus disables them has not only the Effect of subjecting them to that Disability, but makes them Recusants. By this they become Persons excommunicated, and are punishable by a Fine of Twenty Pounds for every Month during which they absent themselves from Church: They are disabled from being Executors or Guardians; practising the Law or Physic; and are subject to many other Penalties equally grievous. If after being convicted they persist in their Opinions, they are compellable to abjure the Realm; and if they do not instantly depart, or, having departed, if they return without License, they are to suffer Death as Felons.

SUCH is the Situation, equally dreadful and humiliating, of Persons professing the Popish Religion, respecting their PRESENTATION TO BENEFICES. The extreme Cruelty of these Laws, so far as they operate to convict Papists presenting to Livings of Recusancy, cannot, it is humbly conceived, meet with the Approbation of any Person.

IT is obvious, that the Security of the Protestant Religion does not, in any Respect, require that any Disability of this Nature should be imposed on the Papist, or deprive him of his Right of Presentation. No Person can be presented to a Living who has not been ordained according to the Rites of the Church of England. *Previously to his Ordination*, he is examined on his Faith and Morals by the Bishop; he takes the Oaths of Supremacy and Allegiance, and subscribes the Thirty-Nine Articles: and *previously to his Admission*, he subscribes the Three Articles respecting the Supremacy, the Common Prayer, and the Thirty-Nine Articles, and the Declaration of Conformity: and by the Act of Uniformity, he is bound to use the Common-Prayer, and other Rites and Ceremonies of the Church of England.

THESE Laws fully provide for the Idoneity of the Person presented. The Interests of Religion, so far as Religion is interested in Presentations, being thus completely guarded, there can, surely, be no Reason to deprive the Roman Catholic of his civil Right of Presentation by these disabling, rigorous, humiliating, and cruel Penalties.

CH. BERINGTON.
JOS. WILKS.

STOURTON.
PETRE.
HENRY CHA. ENGLEFIELD.
JOHN LAWSON.
JNO. THROCKMORTON.
WM. FERMOR.
JOHN TOWNELEY.
THOS. HORNOLD.

No. VII.

S T A T E O F F A C T S

BY THE COMMITTEE OF ENGLISH CATHOLICS,

RESPECTING THE OATH CONTAINED IN THE BILL FOR THEIR RELIEF NOW BEFORE THE
HON. HOUSE OF COMMONS.—1791.*In the Name of the CATHOLICS of ENGLAND:*

AN Idea having been thrown out, that the Bill introduced into the Honourable House of Commons will not extend Relief to the whole Body, but only to a minor Part of the English Catholics,—**WE THE UNDERSIGNED** beg Leave to represent,——

FIRST,—That, at a General Meeting of the Catholics, held on the 3d of May 1787, a Committee of Noblemen and Gentlemen was appointed to watch over and promote the public Interest of the English Roman Catholics:

SECONDLY,—That, at a General Meeting held on the 15th of May 1788, the Committee was directed to make an Application to Parliament for the Relief of the English Catholics early in the next Session of Parliament.

THIRDLY,—That, in 1789, an Instrument of Protestation was presented to the Committee, the Object of which was to remove Suspicions and Prejudices, and convince both the Legislature and the Public, that English Catholics holds no Principles hostile to Civil or Political Freedom:

FOURTHLY,—That this Instrument was signed by the Clergy and Laity among the Catholics. It was not deemed necessary to collect the Signature of every Individual; it was thought enough to collect a sufficient Number of Signatures to prove that the Instrument contained the Sentiments of the Body. Accordingly, it was signed by Two Hundred and Forty Clergymen,—and the whole Number in the Kingdom is not supposed to exceed Two Hundred and Sixty,—by every Peer, and, with few Exceptions indeed, by every Catholic Gentleman of Rank, Fortune, or Respectability.—This will appear by a Glance over the Names of the Subscribers to the Protestation:—

FIFTHLY,—That the Oath inserted in the Bill, concerning which Scruples are now said to be raised, contains no more than the Protestation, except the common Profession of Allegiance to His Majesty and his

Successors. To this no loyal Englishman objects; and this the Catholics had equivalently sworn to, in the Oath prescribed in the Act passed for their Relief in 1778:—

ON what Grounds, then, are these Scruples brought forward? Two Persons only,—(they are the Two whose Names are marked with an Asterisk in the printed Protestation,)—who had subscribed the Protestation, have expressed a Desire to have their Names withdrawn. The Protestation, therefore, continues, and ever will continue, to be the Pledge of the Sincerity of English Catholics.

IN a Publication, called “ Facts relating to the present Contest amongst the Roman Catholics of this Kingdom, concerning the Bill to be introduced into Parliament for their Relief,” signed JOHN MILNER, it is asserted, that the Gentlemen of the Committee had abandoned the Majority of the Roman Catholics, and taken them by Surprise.—But the Committee have uniformly acted by the Instructions, and have uniformly received the Thanks and Support, of their Body. In this Paper John Milner assumes to act in the Names of Thousands; but, when called upon to specify the Names of these Persons in whose Trust he acted, he could only produce Three Names, and confessed he had obtained the Appointment of those Three Persons after the Publication of this Paper. Of those Three Names Two had been signed to the Protestation, and we have never heard that those Three Persons were ever chosen by the Catholic Body, or any Portion of the Catholic Body, to transact Business in their Names. No Meeting was ever called for that Purpose: and although Attempts have been made by them to procure a Counter-Protestation, never could they obtain any one respectable Name to it.

The Bill is now before the Wisdom and Humanity of the House; and the Catholic Committee beg Leave to represent in their own Names, and in the Names of those in whose Trusts they have acted, that they never will recede from the INSTRUMENT OF PROTESTATION. Anxious as they are that every Individual of their Persuasion should be admitted to Relief, yet they cannot depart from this SOLEMN PLEDGE OF THE INTEGRITY OF THEIR BODY.

IT remains with the Wisdom and Condescension of Parliament to determine, whether it will accommodate itself to the Scruples of a few Individuals.—The Committee, and those in whose Trusts they have acted, will deem themselves for ever bound by the PROTESTATION, and will repeat it as often as called upon.

CHARLES BERINGTON.
JOSEPH WILKS.

STOURTON.
PETRE.
HENRY CHA. ENGLEFIELD.
JOHN LAWSON.
JNO. THROCKMORTON.
WM. FERMOR.
JOHN TOWNFLEY.
THOS. HORNYOLD.

No. VIII.

LETTER FROM MR. WALMESLEY.

MY LORD,

THIS comes to inform your Lordship, that, at our Meeting on the 19th instant, we the Four Vicars Apostolic, unanimously condemned the new Oath lately printed. This we did, without the least Intention of giving Offence, either to your Lordship, or to the other Members of the Committee; and we hope that your Lordship and they will take it in that light. Our Duty, and the Call of our People, necessarily induced us to pronounce our Judgment upon it.

And now we beg Leave to offer to you a few Observations.

First, As Things stand, may it not be more prudent to drop, at present, any further Pursuit of the Measures which have been begun? Such a Step seems almost necessary, in order to allay that Ferment which has risen among our People, to put a Stop to Disputes, and re-establish the Concord and Union which before subsisted among us.

Secondly, But if the Measure of petitioning Government must at present, upon urgent Reasons, be pursued, let it be grounded on the Oath of 1778. That Oath is a very sufficient Test of our Allegiance to the King and Fidelity to Government, and was admitted as such at that Time by the whole Legislative Power, and therefore ought to satisfy at present. Besides, it was adopted, as we understand, by the Committee last Year, as the ground-work of a Bill formed for the same Purposes.— Then, the Bill itself, before it be presented in Parliament, we think, should be accurately revised, that no Clauses be inserted in it, cloathing with Religion, or thocking the Minds of the Catholics. The Appellation of *Professing Catholic Dissenters* should be exploded; it is highly disapproved, and would raise in all foreign Countries, a bad notion of the English Catholics*. Let us be named, as heretofore, either Catholics or Roman Catholics—Such Clauses also, as *not*

* It appears, that in foreign countries this appellation would have been properly understood to convey no more, than a *conscientious dissent from the legal establishment in matters of Religion*. The Prelates and Clergy in the National Assembly of France signed a *protest*, and professing no longer the mode of Religion solemnly authorized by the State, they knew no name more appropriate to their situation, than that of *Catholic Dissenters*. “ Mais les vues qui ont dicté la nouvelle loi embrassent tous les *Dissidens*, et cette denomination comprend l’universalité de ceux qui ne professent pas la religion solennellement autorisée dans l’état! . . . Or, que vont être désormais aux yeux de la puissance temporelle les Catholiques, qui refuseront de reconnoître les Evêques et les Curés nouvellement institués par l’Assemblée Nationale, si non de *veri abli. Dissidens*?” p. 30. Instruction donnée par des l’Evêque de Langres, avec les noms des des Prélats, qui ont adopté la présente instruction.

to educate any Child a Papiſt, is inadmiſſible, for ſimilar Reaſons.—Again, the Clause of *not educating any Child of proteſtant Parents a Proteſting Catholic Diſſenter*, is likewiſe inadmiſſible.—Laſtly, we wiſh to be ſuppreſſed the Clause, *that all Uſes, Truſt and Diſpoſitions, whether of real or perſonal Property, which immediately before paſſing the Act, ſhall have been deemed ſuperſtitious or unlawful, ſhall continue to be ſo deemed and taken*.—But, if even in the original Bill, no ſuch Clauſes be inſerted, we have ſtill very great reaſon to fear, that ſuch will be ſuggeſted, when the Bill comes to be debated in the two Houſes, and probably will paſs, as many of the Members are ignorant of the real Tenets of our Religion, and likewiſe, by reaſon of their Prejudices, our Enemies. Such new Statutes would be more grievous to us, than all the old cruel Laws, which no one, in theſe Days, chuſes to hear mentioned.

Thirdly, To form a new Oath would be a vain Attempt. For, in the firſt place, our People having taken the Oath of 1778, are averſe to take another, and cry out againſt having a ſecond forced upon them. Then, it would be in all Appearance, impoſſible to frame ſuch an Oath as would ſatiſfy all Parties, ſuch an Oath as our Catholics would take, and at the ſame Time, ſuch as would ſatiſfy the Miniſters, &c.

Laſtly, As any Bill which may be offered to Parliament for our Relief, relates to the whole Body of the Catholics, their previous Conſent ought to be had, not only a very few, but the general part, both of our Clergy and Laity, ought to be previously conſulted. If this be not done, the Bill will be liable to be diſapproved, oppoſed, and brought to nothing.

Theſe Obſervations we, the four Vicars Apoſtolic, earneſtly recommend to your Conſideration.

I have the Honour to be,

MY LORD,

Your Lordſhip's very humble Servant,

London, Oct. 23, 1789.

CHA. WALMESLEY,
SENIOR BISHOP VICAR APOSTOLICK.

The ſame is written to Sir Henry Englefield, Mr. Throckmorton, and Mr. Fermor of Tuſmore.—
I am returning to Chapel Row, Bath.

No. IX.

CASTLE STREET, FEB. 2, 1790.

PRESENT Mr. C. BERINGTON.
 Mr. BROWN.
 Mr. STRICKLAND.
 Mr. WILKS.
 Mr. BARNARD.
 Mr. O'LEARY.
 Mr. MENNEL.
 Mr. RIGBY.
 Mr. BELLASYSE.
 Mr. HUSSEY.
 Mr. ARCHER.

DID all Persons here present sign the Protestation?

Affir. Unan.

Did all sign it as a civil Test merely, without meaning to infringe on the Pope's Spiritual Power, or the Spiritual Power of the Church?

Affir. Unan.

Do any Persons here present think themselves obliged in Conscience to recede from it?

Negat. Unan.

Can the Catholic Clergy, Gentry, &c. who have deliberately signed it, recede from it now, consistently with their Characters as Men of Honour, and without bringing Odium on Religion?

Negat. Unan.

Whether any public receding from the Protestation at present will not tend to confirm the Stigmas and odious Imputations with which the Catholics have been hitherto aspersed?

Affirm. Unan.

At the conclusion of the foregoing business, Mr. Barnard disclaimed any further interference.

Whether in framing that part of the oath which is grounded on the Protestation, there has been any material and essential deviation from the meaning and purport of the Protestation.

Mr. O'Leary sees an essential difference in the parts respecting the spiritual jurisdiction of the Church.

Mr. Brown sees a deviation in like manner.

Mr. Strickland and Mr. Menzell see a material and essential difference.

Messrs. Rigby and Bellafyfe, Huffey, Berington, Wilks and Archer see none.

Whether the insertion of the following clause after the words, *subjects thereof*,

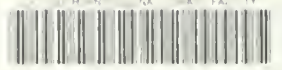
In as much as the only spiritual authority which I acknowledge is that which I conscientiously believe to have been transmitted by Jesus Christ to his Church, not to regulate by any outward coercion, civil and temporal concerns of subjects and citizens, but to direct souls by *persuasion* in the concerns of everlasting salvation,

removes every difficulty respecting the spiritual jurisdiction?

Affir. Unan.

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